

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 18, 1948

The House met at 11 o'clock a. m.
The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, for days of health, for nights of quiet rest, for the bounty of Thy goodness, and for all Thy blessings bestowed for our need, we give Thee thanks. We praise Thee for our country, our schools, our homes, and for all the opportunities which make us grow into self-reliant manhood.

For all who do not share these blessings, we ask Thy merciful goodness to abide with them; give to those who suffer that peace which nothing can outweary, because their minds are stayed on Thee. Pray for the peace of Jerusalem: they shall prosper that love Thee. Peace be within Thy walls and prosperity within Thy palaces. In the name of Him who gave His life for all mankind. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 14, 1948:

H. R. 1353. An act for the relief of Edward W. Bigger; and

H. R. 5262. An act to authorize the sale of individual Indian lands acquired under the act of June 18, 1934, and under the act of June 26, 1936.

On May 17, 1948:

H. R. 345. An act for the relief of Ollie McNeill and Ester B. McNeill;

H. R. 1953. An act for the relief of John F. Reeves; and

H. R. 3189. An act for the relief of Joe Parry, a minor.

On May 18, 1948:

H. R. 1189. An act to establish the methods of advancement for post-office employees (rural carriers) in the field service;

H. R. 1562. An act to increase temporarily the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States;

H. R. 4129. An act for the relief of Jerline Floyd Givens, and the legal guardian of William Earl Searight, a minor; and

H. R. 5035. An act to authorize the attendance of the United States Marine Band at the Eighty-second National Encampment of the Grand Army of the Republic to be held in Grand Rapids, Mich., September 26 to 30, 1948.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 200. Concurrent resolution authorizing the Clerk of the House to make corrections in the enrollment of H. R. 3350.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 3566) entitled "An act to amend subsection (c) of section 19 of the

Immigration Act of 1917, as amended, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILEY, Mr. REVERCOMB, and Mr. EASTLAND to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 4236) entitled "An act to amend the Civil Service Act to remove certain discrimination with respect to the appointment of persons having any physical handicap to positions in the classified civil service"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LANGER, Mr. BUCK, and Mr. CHAVEZ to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

Mr. SCHWABE of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an article entitled "Doctor, My Statistics Feel Funny." I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost \$159.75, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. COLE of Missouri asked and was given permission to extend his remarks in the RECORD in three instances, in each to include a radio address by Jack Beall entitled "Communism."

Mr. TWYMAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include two editorials.

Mr. HORAN asked and was given permission to extend his remarks in the RECORD and include a newspaper account of the McMillin case.

Mr. COLE of Kansas asked and was given permission to extend his remarks in the RECORD and include a speech he made to the convention of the First District Young Republicans.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include a résumé of South Dakota veterans' laws, two editorials on an Iwo Jima hero, and a table prepared by the Legislative Reference Service on the cost of the foreign-aid program.

SPECIAL ORDER GRANTED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that on Thursday next, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LEAVE OF ABSENCE

Mr. HAND. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New Jersey [Mr. TOWE] be excused from attendance of the House all of this week on account of death in his family.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PROPOSAL TO SQUANDER OUR FATS AND OILS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, we are indebted to our colleagues on the Select Committee on Foreign Aid for the very illuminating study of European trade patterns prepared with the assistance of the United States Tariff Commission and other organizations.

I found some mighty interesting figures on page 3. There we find some of the fats and oils estimates of the Bevin committee's Paris report. This committee estimated that Norway would need to import 99,000,000 pounds of fats and oils. The Tariff Commission studied this situation and came up with a report that Norway would have no need to import fats and oils. In fact, the Commission found that Norway should have an exportable surplus of 280,000,000 pounds.

For the small agricultural country of Denmark, with a population of only a little over 4,000,000 persons, the Paris Conference reported an import requirement of 440,000,000 pounds of fats and oils, or more than 100 pounds per person. When the Tariff Commission analyzed the fat and oil situation of Denmark, it found this dairy raising country should have a surplus of 100,000,000 pounds of fats and oils.

It is probably only human nature to ask for more than you need. Just think how much profit there would be in disposing of millions of pounds of unneeded fats and oils. I cannot help but wonder if all the requirements are not similarly padded. We can only hope that the Appropriations Committee will scrutinize these figures carefully.

There are not many items with higher prices today than the fats and oils which every family needs to keep clean and properly fed. We owe it to our constituents to see that no supplies are shipped abroad unless they are absolutely needed for the relief or recovery of the recipients, and, by recovery, I do not mean the shipment of goods which can be re-exported for unearned income. There must be no squandering of our resources if we are to keep our prices within reasonable bounds.

EXTENSION OF REMARKS

Mr. HOEVEN asked and was given permission to extend his remarks in the RECORD and include an article appearing in Nation's Business, May 1948.

Mr. MUHLENBERG asked and was given permission to extend his remarks in the RECORD and include the text of a bill, H. R. 6525, which he introduced.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include an article appearing in the New York Sunday Herald Tribune.

Mr. HUGH D. SCOTT, JR. asked and was given permission to extend his remarks in the RECORD in two instances; to include in one an article appearing in the Philadelphia Inquirer and in the other an article on crime prevention by Nochem S. Winnet.

Mr. OWENS asked and was given permission to extend his remarks in the RECORD and include excerpts appearing in the Chicago Tribune May 17.

DEWEY AND STASSEN DEBATE

Mr. OWENS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Speaker, last evening you may have had the opportunity to listen to the two young giants who are aspiring to the Presidency of the United States. If so, you would have observed that the one who had the affirmative of the issue, That the Communist Party should be outlawed," did not state how that could be successfully accomplished under our Constitution, but limited his remarks to an approval of that portion of the so-called Mundt bill which would prohibit the establishment in this country of a totalitarian dictatorship under the control of a foreign nation by any person or group of persons. He very properly stated that the other portions of the bill with reference to restrictions upon individual actions should be modified. His opponent, who had the negative of the issue, then very cleverly brought forth that the Mundt bill did not attempt to outlaw the Communist Party, and while he intimated that the present laws would accomplish the main objective sought by the passage of that bill, he did not disclose his position thereon in any way. It is unfortunate that neither aspirant possesses the frankness and candor that has been exhibited by Members of Congress who are known to desire occupancy in the well-known house at 1600 Pennsylvania Avenue. It surely appears that active participation and leadership in Congress constitutes the best proving ground for the test of the knowledge, capability, and trustworthiness of one who would occupy that exalted position.

VETERANS' HOMESTEAD HOUSING BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, some members have questioned whether individual home units can be constructed under the recently reported veterans' homestead bill, which is an amendment to the Servicemen's Readjustment Act of 1944. The answer is emphatically yes. Not only can they be constructed by the individual associations, but I believe they will be constructed at a price much below that of current offerings.

It will work something like this: The veteran—urban or rural—will ask his association to build a house for him; the house will be built according to his plans and specifications; the association will carry the necessary charges and arrange for the construction loan, and all the other necessary expenses until the house is completed. Thus, the house will be built according to the desires of the individual veteran; he will have the saving resulting from group building, and will not have to borrow money for a construction loan. I submit these are very real advantages and savings for the individual veteran purchaser.

When he has accepted the house, the veteran then must obtain his financing the same as any other veteran who wishes to participate under the GI bill of rights—under present law the interest rate cannot exceed 4 percent for such financing and by purchasing through an association the loan could be amortized over a 32-year period. This feature is one of the strongest parts of the veterans' homestead housing bill.

EXTENSION OF REMARKS

Mr. VURSELL asked and was given permission to extend his remarks in the RECORD.

Mr. DEANE asked and was given permission to extend his remarks in the RECORD in two instances and include newspaper statements.

Mr. COOPER asked and was given permission to extend his remarks in the RECORD in two instances on the Reciprocal Trade Agreements Act, and in one to include an article entitled "The Trade Agreement Act Must Be Renewed," by Hon. W. Averell Harriman, Secretary of Commerce, from the Democratic Digest of April 1948, and in the other to include a copy of a letter dated May 4, 1948, addressed to the chairman of the Committee on Ways and Means by Mr. Gerard Swope, chairman, Citizens Committee for Reciprocal World Trade, enclosing a statement by Hon. Cordell Hull in support of the renewal of the Reciprocal Trade Agreements Act.

STATE OF ISRAEL

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, Americans were as amazed as was the rest of

the world when President Truman turned another political somersault and recognized the abortive state of Israel. On the front page of the New York Times of Sunday, a British Foreign Office spokesman is quoted as saying:

There is no need to hurry * * * there is no election in this country until 1950.

Even foreigners know that our President has delivered another body blow to United Nations and has probably jeopardized the peace of the world, primarily to secure the votes of some 3,000,000 Jews in the city of New York. We have made fools of ourselves again. Does anybody know what our foreign policy is? Can any nation trust in our sincerity? Are we to continue to play Dr. Jekyll and Mr. Hyde in foreign affairs? Have we become morally and spiritually bankrupt? A nation can recover from Pearl Harbors, terrible as they may be. A nation cannot recover from a complete loss of honor and integrity. We are surrendering to communism in one-half of the world while pretending to fight it in the other half.

Unless America awakens at once, her best sons will soon be spilling their innocent blood in the sands of the un-Holy Land. Americans should cry out against the political prostitution that is bringing us upon such evil days.

FOOD-CONSERVATION PROGRAM

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I desire to call to the attention of the Members to a phase of the food-conservation program of the Department of Agriculture. This program is a simple approach to encourage voluntary measures on the part of consumers which will conserve food and, at the same time, stabilize or help reduce the cost of living. I want to emphasize that so far the plan is merely an experimental test, and is in response to a statute enacted last year in which the Department was called upon to encourage voluntary measures which will increase our utilization of food.

I am proud of the fact that the Department has selected Pennsylvania for this test, and the selection of York and Lancaster is a compliment to those communities. One reason for this was the fact that the people living there have an established reputation for their ability to carefully manage food, and also a reputation of sturdy, practical, Americanism, and thrift.

As of now 1,500 retail food stores are cooperating, and after the first week's trial, the local chairman of the communities had this to say, among other things:

It gives us great satisfaction to report the apparent success of this test. This is most gratifying to the men in the food supply business.

Further quoting from these chairmen:

It also helps farmers by providing a more stable market for their produce. Our farmers in York and Lancaster can be assisted

directly by finding a bigger market for their produce, especially those in plentiful supply.

If the Dutch farmers of Pennsylvania, the consumers, known to be frugal and economical in their food consumption, and the conservative retail food stores businessmen all approve of the plan after further continuing tests, it can then be expanded to other communities throughout the country which desire it.

The Congress was wise to pass the act. The Agriculture Department is to be commended for adopting a test program, and Pennsylvania and the Lancaster and York areas are to be congratulated on being selected for this wholesome attack on the shortage of food supplies. I might add that the Department estimates that a family's food budget can be cut by at least 10 percent, and perhaps as much as 30 percent on meat costs alone.

EXTENSION OF REMARKS

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD.

PRESIDENT TRUMAN RECOGNIZES ISRAEL

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Speaker, I take the floor at this time to commend and congratulate the President of the United States on his great, honorable, and statesmanlike deed in recognizing the new Jewish state of Israel. I think he has gained the gratitude of a majority of the people in this country, regardless of race, religion, or creed because he is recognizing a state which is a true democracy and which eventually will be developed into one of the really great democracies in that part of the world, where democracy is all too rare. I would like as well to congratulate the new President of Israel, Dr. Chaim Weizmann, and Mr. David Ben-Gurion, Moshe Shertok, and all those other men and women who through the years, with blood, sweat, and tears, brought about the realization of a Jewish state—which the Jews of the world have been awaiting for over 2,000 years. We hope the new Jewish state will grow and prosper, just as America did from its birth in 1776, and will eventually become one of the great democracies, just as our beloved country has grown to become the greatest democracy in the world.

Mr. Speaker, without in any way detracting from the nobility of the President's prompt action and without depreciating the gratitude we feel, I must point out that there remains much to be done before this new nation, struggling for stability in a hostile world, can stand alone.

Before anything else, the defenseless Jews in Israel must have weapons of defense.

The one-sided arms embargo to the Middle East, which I am convinced was imposed by State and National Defense Department officials opposed to the President's policies, must be lifted. It has operated to keep the Jews without

weapons, while the Arabs are armed by the British.

The new state will need funds with which to operate, and the simplest and best way is to obtain loans and credits from the United States.

I hope that Members of the House will lend to this project every possible support. Such credits will be safe and sound investments from every point of view—social, economic, political, and financial.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, President Truman's recognition of the new Republic of Israel could hardly be called a body blow to the United Nations as was charged by the gentleman from Texas [Mr. GOSSETT]. On the contrary, that statesmanlike decision gave flesh and blood and sinew to the body of the United Nations decision, that historic decision of November 29 last, which declared for the partition of Palestine. Israel's cup of happiness was overflowing on Saturday when the declaration of independence was sounded by the voice of Premier David Ben-Gurion from Tel-Aviv, and rejoicing reached fever pitch with the announcement of the President that the new de facto state had been recognized. That action of the President was quite consistent with American tradition. How could we, who have so zealously guarded and protected our independence for over 150 years, deny that independence to the Jews who sought it for 2,000 years? Indeed, the decision of the President was as refreshing as a cool breeze in the heat of summer, and his recognition will be followed by the recognition of many more nations. There will indeed be a queue of nations gladly bestowing recognition of the new state composed of a brave people. I hope the President will follow up his recognition with the according to Israel of belligerent rights to the end that the arms embargo be lifted, so that these valiant people will be given the wherewithal to defend themselves against unlawful marauders and guerrillas from neighboring Arab states.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. DAVIS of Tennessee asked and was given permission to extend his remarks in the RECORD and include a speech he delivered at Memphis, Tenn.

PRESIDENT TRUMAN RECOGNIZES ISRAEL

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I too, want to add my congratulations and words of commendation to the President of the United States for his prompt and

speedy recognition of the new democratic state in the Middle East, Israel. This recognition has been bought by the blood of patriotic men who have served in the wastes of North Africa in World War II fighting the Nazis under Rommel. It was bought by the blood of Jewish volunteers who fought on the side of the allies against the Turks in World War I. The Jewish people of Palestine were the allies of the democracies, both in World War I and World War II, and in the recognition of Israel, we have fulfilled the pledge which was given in the League of Nations mandate that the Jews should have a national home eventually in Palestine. I confidently believe that we have fulfilled the promise contained in holy writ and a sacred prophecy has come true, that again Palestine would be given to the Jews, and that they would have a land of their own. We can look forward to cooperation from the new state of Israel in the fight against communism, because anyone who knows anything about Zionism knows that it is a religious movement. It is a movement of people who believe in the God of Abraham, Isaac, and Jacob. It is not atheistic. It is a movement which believes also in political democracy. Therefore, we will have their cooperation in any possible war of the future.

The SPEAKER. The time of the gentleman from California [Mr. HOLIFIELD] has expired.

EXTENSION OF REMARKS

Mr. GROSS asked and was granted permission to extend his remarks in the RECORD and include an article from the Pennsylvania Farmer entitled, "Cure for Communism," by J. A. Boak.

Mr. POULSON asked and was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. HAND asked and was granted permission to extend his remarks in the RECORD and include an article on labor unions.

Mr. JONES of Washington asked and was granted permission to extend his remarks in the RECORD and include a letter from a constituent from the city of Seattle supporting the Mundt bill.

Mr. DAVIS of Wisconsin asked and was granted permission to extend his remarks in the RECORD and include a letter from Milton H. Button, director of the Department of Agriculture of the State of Wisconsin, addressed to Senator MILLIKIN, chairman of the Senate Finance Committee.

SAVING FOOD

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GROSS]?

There was no objection.

Mr. GROSS. Mr. Speaker, referring to the remarks of the gentleman from Pennsylvania [Mr. EBERHARTER] concerning the food-saving plan now in progress in York and Lancaster Counties, Pa., the Department told me last week that every farmer's stall in the markets would have one of their placards on display in the Saturday markets. I went into the

markets and did not find a single one there. The people ought to know that the Department has five or six men up there in the district, and will keep them there for 2 weeks, to make a report on the progress of their food-saving program, and that the report was written before they ever started the program. If I write a report it will be quite different from one already written down in the Department.

In the chain stores where the cards appeared, urging the people to make the best buys, they are featuring such things as California products, citrus fruit, and so on.

They do not mention Pennsylvania apples, which are home grown and priced off the market. They are not doing a thing to help agriculture or to help the housewives. They are featuring certain commodities in large supply not at reduced prices. Some of the commodities are cheap because they are the cheap kind. They are simply trying to unload a lot of surpluses which have been created by subsidies paid to certain farmers. And the same price supports continue which mean greater production next year for the taxpayers to pay for. The whole thing is phony and it ought to be exposed. One of my local newspapers has asked the Associated Press to get them the story from this end. He was given the story, which was a statement of fact, but when it appeared in his paper it was greatly distorted. They were unethical enough to change the Associated Press story before printing it. The Department agents, now vacationing in York and Lancaster, should be doing productive labor.

The SPEAKER. The time of the gentleman from Pennsylvania [Mr. Gross] has expired.

COMMUNISM

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DAVIS of Wisconsin. Mr. Speaker, I would like to call to the attention of the membership a letter which I have inserted in the Appendix from Mr. Milton H. Button, director of the Department of Agriculture of the State of Wisconsin, which I think the Members will find interesting and educational.

In the remainder of my 1 minute I would like to bring to you a poem which appeared in one of the newspapers in my district. An amateur poet wrote it, I am sure, but it is interesting.

HI, JOE

Oh, the Commies are a funny lot
And capable of every stunt,
But if you want to get them hot
Just mention that guy, MUNDY.

One enviable trick they have is this—
They double talk from both the corners
Of their mouths, while in between they hiss;
Simultaneously being revilers and mourners.

Our Constitution they agree,
Is old, out dated, mythical.
They scorn it to a high degree
In terms that seem unethical.

But when the going's getting tough—
What is their cry? It's quite conventional.
Yes, when MUNDY or others make it rough,
The Commies yell, "Unconstitutional!"
—Allay Tea.

The SPEAKER. The time of the gentleman from Wisconsin [Mr. Davis] has expired.

EXTENSION OF REMARKS

Mr. HILL asked and was given permission to extend his remarks in the Appendix of the Record and include therein an address by Dr. Warren H. Leonard, of Denver, Colo., on agricultural problems in the administration of the Marshall plan in Europe.

AIR POWER

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Speaker, it was highly gratifying to me when the Congress recognized in its recent actions the overwhelming necessity for this country to have a powerful air force. The momentous decision in passing the 70-group air forces bill marks a major milestone of progress in building a modern bulwark of defense for this country.

Air power is our first line of defense—and our last. There can be no substitute to being powerful defensively in the air. In the present necessity, there can be no middle ground and no compromise. We cannot gamble with the security of this Nation. To do so, is to flirt with disaster.

In passing this important measure, Congress has translated the determination of this country to remain secure from attack into forceful action to assure that protection.

This so-called peace that we are trying to enjoy after 4 years of war is a timid and precarious peace. It is an unhealthy peace. We cannot say that we have moved away from the lighted keg—or that the fuse to the dynamite has been snuffed out.

Even with the usual secrecy that surrounds any nation's preparations for military action, we have already been appraised of some of the steps which others are taking in a purely militaristic way. We can assume that there is much more going on about which we do not have specific information.

We know that we are not the only nation who is attempting to build the atom bomb, and we can only hope that their industry along that line is not being blessed with a great degree of progress. When the war ended, the people of this country were ready to forge its swords into plowshares and believed that other nations held similar hopes of lasting peace. Toward that end, we allowed our powerful air force to be virtually scuttled, so that there is little left to reflect its past glory, and what is left is almost obsolete. In Russia, because its course was clearly and unmistakably one of aggression, and in larger and larger doses, air power was not allowed to dis-

integrate. Indeed, it seems to have been increased. In other military fields we have been told that Russia is continuing to build a strong war machine.

As we go about our daily jobs we should never forget that this great Nation has enemies. These enemies would not hesitate to bring death to millions in this country.

We can prevent this by one means, and one means only. The prevention is national preparedness. Our national defenses, both for our military forces and for our civilians, must be so strong that no nation on earth would dare point a hostile finger. A strong air force is a major step in that direction.

We cannot build an air force overnight. It takes years to put a plane in the air. Despite the thrilling spectacle of the mighty planes our Air Force put into the skies during the war, we did not have a single craft that was not started before we got into the conflict. It can readily be seen how urgent is the necessity to act immediately in order to feel safe 5 years from now.

Congress has acted with forethought in voting out the bill to set up a 70-group air force. We have been told that a force of that size is too big for our needs. But only 4,200 planes will be built under this measure. When I think of the warning that has been given to us by President Truman's Air Policy Commission, I am inclined to think we are being too economical even with 70 groups. The Commission, I am sure you will recall, warned some time ago that this country would be in serious danger of an atomic attack after December 31, 1952, less than 5 years away. That Commission has also warned that this country will need a starter atom defense air force of more than 20,000 planes of the most modern type.

Under such a prospect, how can this country fail to provide an air arm of at least reasonable strength. It has been said that this 70-group air force would be the cheapest insurance that this country can buy. I agree 100 percent and fervently hope that this Nation will continue to stay awake to the dangers that exist in the world and will face them squarely and with determination to keep ourselves strong while we pray for peace. We cannot afford complacency.

THE LIBRARY OF CONGRESS AND RUSSIAN PUBLICATIONS

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, I have long been critical of the Library of Congress, and my criticism has been based upon the fact that they do not render proper service to Members of Congress, but they do enormous numbers of other things that should not be done. My criticism has resulted from my own careful review of their works.

They have just started, in April of 1943, a new publication entitled "Monthly List of Russian Accessions." I have that

document here before me listing about 400 different volumes that they have taken on. That will be very convenient for the Commies to examine. Is not that nice? When the Congress is trying to meet its responsibilities to maintain the United States and has under consideration a bill like the Mundt bill to keep them in line, keep them from doing damage, to have that creature of the Congress cutting this kind of caper.

Frankly, I am unable to read it, because I do not understand Russian, but I am calling it to the attention of the House in the hope that some of our numerous Russian scholars here on the floor will give it a quick reading and advise me as to whether or not they consider it of value to the membership.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I shall not take the full minute.

In the light of the remarks that have just been made by the chairman of the Committee on Appropriations, may I make the suggestion to him that his committee recommend to the House the appropriation of a reasonable amount of money to provide for the burning of the books. That would be in consonance both with the Mundt bill and with the remarks made by the chairman of the Committee on Appropriations.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Chairman, I can understand the confusion of the gentleman from New York [Mr. TABER], which he manifests over the Russian language pamphlets issued by the Library of Congress. There are many other reasons why he should be confused.

Having read Candidate TARR's speech night before last advocating the sending of an armed force to Palestine, which seemed to have the ring of Onward Christian Soldiers; having read the exchange of interviews between Henry Wallace and Joe Stalin on international affairs; and having witnessed the mental somersaults which the President turned overnight in recognizing Palestine, I too became confused.

That confusion was intensified last night as I listened to the oratorical dog-fall between Gov. Thomas E. Dewey, of New York, and ex-Gov. Harold Stassen, of Minnesota. When debate wound up you could not tell Dewey's moustache from Stassen's eyebrows.

Having gone through all that I can appreciate the confusion of my distinguished friend from New York [Mr. TABER].

Of course, this Russian language document issued by the Library of Congress adds to that confusion.

It all reminds me of the words of a very able colored preacher down at home, who went off to a regional church meeting and came back with some long words in his vocabulary. One was "status quo." He got up and told the congregation that he was glad to find everything in "status quo." It disturbed the congregation to hear him using such language, and after the service one of the brethren took him aside and asked him: "Pahson, what does this here thing status quo mean?"

"Well," said the preacher, "that is the kind of language we educated preachers use. What it really means is, you is in a helluvafix."

I just want to say to the gentleman from New York [Mr. TABER] that with these communistic documents published in Russia and coming out of the Library of Congress, together with what has happened in the last 48 hours, all adds up to the fact that we are getting into a "helluvafix."

ISRAEL

Mr. ISACSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ISACSON. Mr. Speaker, last Friday night I stood on the lawn of the Jewish Agency in Washington. And, as the hands of time crept beyond the hour of 6, heralding the new day of May 15 in Israel, a proud new flag fluttered forth from the gleaming white building. It was the flag of Israel, the blue and the white and the Mogen David.

And as the brave new flag furled out into the breeze proclaiming the new Jewish state, joyously we burst into the Hatikvah. The Jewish state, dream of twenty centuries, was a reality.

A few moments later came the second fateful news: The new state of Israel had been recognized by our Government.

Now the celebration really began; there was dancing and singing and everywhere could be heard the word "Mazeltoy, Mazeltoy."

Yes, Mazeltoy.

Mazeltoy to the heroic defenders of the Yishov whose courage and gallantry and sacrifice defy even now the combined armies of Transjordan and Egypt and Syria and all the other Arab nations which would infest Israel like a devastating pestilence.

Mazeltoy to the thousands of Jews interned as displaced persons in concentration camps in Europe, the skeletal remnants of our proud people who survived the crematoria and lime pits of the Nazi terror.

Mazeltoy to the delegates of the United Nations, the delegates of Poland and Norway and Guatemala and the Soviet Union who never for a single moment wavered in their steadfast support of the partition plan which created the basis for the Jewish state.

Mazeltoy to you, the people of America, Jew and Christian, white and black. For it was you by your united and determined outcry against the infamy of betrayal who forced our country to honor its

pledged word. It was you who defeated the treacherous, traitorous, and treasonable forces who would have sold our national honor as well as world peace for a few barrels of Arab oil.

Mazeltoy for all, yes. But we must keep on fighting. This is no time to relax our vigilance.

For myself I shall continue my fight until the American embargo against the shipment of arms to Israel is lifted, until the Security Council notifies the Arab League that it will not tolerate any invasion of Israel, until the whole truth of what is happening in Palestine is made known.

To that end, it is generally known that I have received my passport to go to Palestine. The British did not grant me a visa. I am applying for that visa to the new provisional government of Israel.

I salute the new Jewish state.

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, the President's recognition of the provisional government of Palestine as the de facto government on May 14 represents not only a major contribution to the cause of Hebrew freedom and national self-determination, but is a most encouraging forward step toward world peace. I am firmly convinced that this step is in complete accordance with America's traditional foreign policy, and with the ideals of the United Nations, and I take this opportunity to commend the President and to declare my full support of this decision. I am confident that this decisive, positive action taken by President Truman has the support of the overwhelming majority of the American people, as well as the millions of people the world over, who today pray and hope for peace.

However, the Jewish people's struggle for national independence is not over. The Arab armies of Egypt, Transjordan, Syria, and Iraq are attacking, and the new state of Israel is today fighting for its life. Artillery shells and bombs are falling in the city of Jerusalem, and the army of Israel is fighting in defense of the Holy Land on many fronts. Positive steps by the United States and the United Nations to implement the establishment of the new state are now in order.

In my opinion, the next logical steps needed to guarantee the continued existence of Israel should be:

First. The United States should immediately exchange diplomatic representatives with Israel, and urge all nations which have extended recognition to do the same;

Second. The United States should lift the arms embargo against Israel to permit the new state to purchase arms for the purpose of equipping its army to check Arab aggression;

Third. The United States should grant financial assistance and credit to Israel

for the purchase of arms, and for the economic reconstruction and development of that country; and

Fourth. The United States representatives to the Security Council of the United Nations should exert all possible influence to obtain a UN decision to halt Arab attacks. The Security Council should declare the aggressive warfare of the Arab states to be a breach of the peace and a threat to world peace. If necessary, UN sanctions should be applied, even to the extent of using force to expel Arab armies from the soil of Israel.

It is my hope that actions along these lines may soon be forthcoming. Such steps would be the logical sequence of United States recognition of Israel, and our new policy on Palestine. Such steps are necessary to enable the long-suffering Jewish people to long-last realize their goal of national independence.

MR. PRESIDENT, MANY, MANY THANKS

MR. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

THE SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MR. MULTER. Mr. Speaker, on May 16, in the city of New York, we celebrated I-Am-An-American Day. In connection with that celebration the Reverend William C. Kernan had this to say:

In the face of so much Communist propaganda designed to make us disparage all things American, we need, on this "I-Am-An-American Day," the encouragement which arises from realizing how mightily America has wrought for human freedom in the past, how bravely and effectively America fights for freedom in this living present.

Mr. Speaker, in consonance with those remarks, I take this time to congratulate our President for his speedy action in recognizing a new democracy in the Middle East, the Republic of Israel, which I am sure will go far toward spreading democracy through that part of the world and will also be a credit to the democracies of the world.

Similarly, I cannot let this moment go by without extolling the courage of our President in promptly after recognizing the new state, instructing our delegation to the United Nations to urge upon the UN immediate action looking toward the restoration of peace in the Middle East.

I am confident that our President will follow these two courageous steps with a third, to wit, the lifting of the embargo on arms to the Republic of Israel, so that it may aid the UN in restoring peace.

Mr. President, on behalf of one-half million people living in my congressional district—many, many thanks.

EXTENSION OF REMARKS

MR. MULTER asked and was given permission to extend his remarks in the Appendix of the Record in three instances and include extraneous matter.

MR. SMATHERS asked and was given permission to extend his remarks in the

Appendix of the Record and include a poem.

MR. HEFFERNAN (at the request of Mr. Celler) was given permission to extend his remarks in the Record.

INTERNATIONAL INDUSTRIAL EXPOSITION

MR. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 384 and ask for its immediate consideration.

The Clerk read the title of the resolution.

THE SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc., That all articles which shall be imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., an international exposition, to be held at Atlantic City, N. J., from June 26 to September 11, 1948, inclusive, by the International Industrial Exposition, Inc., a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 3 months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within 3 months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Industrial Exposition, Inc., a corporation, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release,*

or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this act, shall be reimbursed by the International Industrial Exposition, Inc., a corporation, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930, as amended (U. S. C. 1940 edition, title 19, sec. 1524).

The House joint resolution was agreed to.

A motion to reconsider was laid on the table.

TEMPORARY FREE IMPORTATION OF LEAD

MR. REED of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6489) to provide for the temporary free importation of lead.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the import duties imposed under paragraphs 391 and 392 of title I of the Tariff Act of 1930, as amended, on lead-bearing ores, fine dust, and mattes of all kinds, lead bullion or base bullion, lead in pigs and bars, lead dross, reclaimed lead, scrap lead, antimonial lead, and antimonial scrap lead shall not apply with respect to imports entered for consumption or withdrawn from warehouse for consumption during the period beginning with the day following the date of the enactment of this act and ending with the close of June 30, 1949.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

MR. MACKINNON asked and was given permission to extend his remarks in the Record and include extraneous matter.

MR. PHILBIN asked and was given permission to extend his remarks in the Record and include an address he delivered recently in Boston.

MR. BECKWORTH asked and was given permission to extend his remarks in the Record.

PUBLIC SAFETY

MR. FELLOWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1878) to amend the immigration laws to deny admission to the United States of persons who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 7, strike out "persons" and insert "aliens."

Amend the title so as to read as follows: "An act to amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purpose of engaging in activities which will endanger the public safety of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

NATIONALITY ACT OF 1940

Mr. FELLOWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5193) to amend the Nationality Act of 1940, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 6 and 7, strike out "is serving or."

Page 1, line 9, strike out "World War II" and insert "during a period beginning September 1, 1939, and ending December 31, 1946."

Page 2, line 8, strike out "are serving or."

Page 3, strike out lines 6, 7, and 8.

Page 3, strike out lines 9 to 12, inclusive.

Page 3, line 13, strike out "(6)" and insert "(4)."

Page 3, line 20, strike out "(7)" and insert "(5)."

Page 4, line 2, strike out "(5)" and insert "(4)."

Page 4, line 6, strike out "is serving or."

Page 4, line 8, strike out "World War II" and insert "during a period beginning September 1, 1939, and ending December 31, 1946."

Page 4, line 9, strike out "(8)" and insert "(6)."

Page 4, line 15, strike out "World War II" and insert "during a period beginning September 1, 1939, and ending December 31, 1946."

Page 4, line 17, strike out "(9)" and insert "(7)."

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FEDERAL WORKS AGENCY

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3219) to authorize the Federal Works Administrator or official of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him may appoint uniformed guards of said Agency as special policemen without additional compensation for duty in connection with the policing of public buildings and other areas under the jurisdiction of the Federal Works Agency. Such special policemen shall have the same powers as sheriffs and constables upon such Federal property to enforce the laws enacted for the protection of persons and property,

and to prevent breaches of the peace, to suppress affrays or unlawful assemblies, and to enforce any rules and regulations made and promulgated by the Administrator or such duly authorized officials of the Federal Works Agency for the property under their jurisdiction: *Provided*, That the jurisdiction and policing powers of such special policemen shall not extend to the service of civil process and shall be restricted to Federal property over which the United States has acquired exclusive or concurrent criminal jurisdiction.

"SEC. 2. The Federal Works Administrator or officials of the Federal Works Agency duly authorized by him are hereby authorized to make all needful rules and regulations for the Government of the Federal property under their charge and control, and to annex to such rules and regulations such reasonable penalties, within the limits prescribed in section 4 of this act, as will insure their enforcement: *Provided*, That such rules and regulations shall be posted and kept posted in a conspicuous place on such Federal property.

"SEC. 3. Upon the application of the head of any department or agency of the United States having property of the United States under its administration and control and over which the United States has acquired exclusive or concurrent criminal jurisdiction, the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him are authorized to detail any such special policemen for the protection of such property and if he deems it desirable, to extend to such property the applicability of any such regulations and to enforce the same as herein set forth; and the Federal Works Administrator or official of the Federal Works Agency duly authorized by him, whenever it is deemed economical and in the public interest, may utilize the facilities and services of existing Federal law-enforcement agencies, and, with the consent of any State or local agency, the facilities and services of such State or local law-enforcement agencies.

"SEC. 4. Whoever shall violate any rule or regulation promulgated pursuant to section 2 of this act shall be fined not more than \$50 or imprisoned not more than 30 days, or both."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PUBLIC AIRPORT IN ALASKA

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3510) to authorize the construction, protection, operation, and maintenance of a public airport in the Territory of Alaska, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "operate", insert "improve."

Page 1, line 6, after "Alaska", insert "a public airport."

Page 1, lines 6 and 7, strike out "such place as he may deem most appropriate" and insert "or near Anchorage and."

Page 1, line 7, after "airport", insert "at or near Fairbanks."

Page 2, line 9, after "maintenance", insert "improvement."

Page 2, line 10, strike out all after "said" down to and including "acres" in line 12 and insert "airports."

Page 2, line 20, strike out "airport" and insert "airports."

Page 2, after line 20, insert:

"The Administrator is authorized to construct any public highways or bridges from the cities of Anchorage and Fairbanks to whatever airport locations may be selected. Upon completion said highways and bridges shall be transferred to the Territory of Alaska without charge and thereafter be maintained by the Territory."

Page 2, line 22, after "maintenance", insert "improvement."

Page 2, line 23, strike out "airport" and insert "airports."

Page 3, line 9, strike out "airport" and insert "airports."

Page 3, line 10, strike out "airport" and insert "airports."

Page 3, line 13, strike out "airport" and insert "airports."

Page 3, line 14, strike out "airport" and insert "airports."

Page 4, line 5, after "maintenance", insert "improvement."

Page 4, line 6, strike out "airport" and insert "airports."

Page 4, line 18, strike out "\$8,000,000" and insert "\$13,000,000."

Page 4, line 22, after "maintenance", insert "improvement."

Page 5, line 1, strike out "airport" and insert "airports."

Amend the title so as to read: "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska."

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BRETTON WOODS AGREEMENTS ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 656)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

In accordance with section 4 (b) (6) of the Bretton Woods Agreements Act, there is transmitted herewith the first special report on the operations and policies of the International Monetary Fund and the International Bank for Reconstruction and Development, covering the first 2 years of operations of these institutions.

HARRY S. TRUMAN.

THE WHITE HOUSE, May 17, 1948.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AIR MAIL

The Clerk called the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service, to be delivered by Government-owned motor vehicles.

Mr. CUNNINGHAM. Mr. Speaker, I understand that a rule has been granted on this bill. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 2286) to amend the Nationality Act of 1940.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PURCHASE OF AUTOMOBILES BY CERTAIN DISABLED VETERANS

The Clerk called the bill (H. R. 4007) to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDING SECTION 332 (A) OF THE NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 5886) to amend section 332 (a) of the Nationality Act of 1940.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ARKANSAS-MISSISSIPPI BRIDGE COMMISSION

The Clerk called the bill (H. R. 3915) to increase the size of the Arkansas-Mississippi Bridge Commission, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of the second paragraph of section 7 of the act entitled "An Act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes," approved May 17, 1939 (53 Stat. 747), as amended, is amended to read as follows:

"The present Commission of 6 members shall remain intact and, in addition thereto, the Secretary of Agriculture shall appoint 12 members, 6 of whom shall be residents

and citizens of the State of Mississippi, and 6 residents and citizens of the State of Arkansas."

SEC. 2. The times for commencing and completing the construction of such bridge are hereby further extended 1 and 3 years, respectively, from the date of the enactment of this act.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Strike out all of section 1 and insert in lieu thereof the following:

"That the second paragraph of section 7 of the act entitled 'An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes,' approved May 17, 1939 (53 Stat. 747), as amended, is hereby amended to provide that 'Federal Works Administrator' shall be substituted for 'Secretary of Agriculture' wherever the latter term appears in said paragraph and that the membership of the Commission created by section 7 of said act shall be increased to 18 by the appointment of 12 additional members, 6 of said additional members to be residents and citizens of the State of Mississippi, and the other 6 to be residents and citizens of the State of Arkansas."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORIGINAL JURISDICTION OF DISTRICT COURTS OF THE UNITED STATES IN CERTAIN CASES

The Clerk called the bill (H. R. 127) to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes.

Mr. MALONEY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

There was no objection.

EXPERIMENT STATION IN APPALACHIAN REGION

The Clerk called the bill (H. R. 5153) to provide for the establishment and operation of an experiment station in the Appalachian region for research on the production, refining, transportation, and use of petroleum and natural gas.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Reserving the right to object, Mr. Speaker, on May 3 this bill was passed over on the calendar without prejudice. I understand the doubts of the gentleman who asked that it be passed over have now been satisfied by an amendment drawn by the author of the bill, the gentleman from Ohio [Mr. GRIFFITHS], and I shall offer that amendment at the proper time.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain an experiment station in the Appalachian region to

conduct researches and investigations on the production, refining, transportation, and use of petroleum and natural gas. Such station shall be planned as a center for information and assistance in matters pertaining to conserving resources for national defense; to the more efficient production, processing and refining, and utilization of petroleum and natural gas in the Appalachian region; and other matters relating to problems of the petroleum and natural-gas industries.

SEC. 2. For the purposes of this act the Secretary is authorized and directed to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe. The Secretary, acting through the United States Bureau of Mines, may receive and accept money and property, real or personal, or interests therein, and services, as a gift, bequest, or contribution. Any money so received shall be deposited in the Treasury of the United States in a special fund or funds for disbursement by the Bureau of Mines, and shall remain available for the purposes for which received and accepted until expended.

SEC. 3. In order to carry out the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) \$1,000,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the station if the land is not donated; and (b) \$500,000 annually for the maintenance and operation of the experiment station, including personal services, supplies, equipment, and expenses of travel and subsistence.

Mr. CUNNINGHAM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CUNNINGHAM: On page 1, strike out the entire section 1, beginning on line 1, and substitute the following:

"Be it enacted, etc., That the Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain an experiment station in the Appalachian region to conduct researches and investigations on the production, refining, transportation, and use of petroleum and natural gas produced in such region. Such station shall be planned as a center for information and assistance in matters pertaining to conserving petroleum, natural gas, or their products for national defense, to aid the more efficient production, processing and refining, and utilization of petroleum and natural gas, and other matters relating to problems of the petroleum and natural-gas industries in the Appalachian region."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLORADO RIVER DEVELOPMENT FUND

The Clerk called the bill (H. R. 5901) to provide for the distribution among the States of Colorado, New Mexico, Utah, and Wyoming of the receipts of the Colorado River Development Fund for use in the fiscal years 1949 to 1955, inclusive, on a basis which is as nearly equal as practicable and to make available other funds for the investigation and construction of projects in any of

the States of the Colorado River Basin in addition to appropriation for said purposes from the Colorado River Development Fund.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 (d) of the Boulder Canyon Project Adjustment Act (U. S. C., 1940 edition, title 43, sec. 618a (d)) is hereby amended to read as follows:

"(d) Transfer, subject to the provisions of section 3 hereof, from the Colorado River Dam Fund to a special fund in the Treasury, hereby established and designated the 'Colorado River Development Fund', of the sum of \$500,000 for the year of operation ending May 31, 1938, and the like sum of \$500,000 for each year of operation thereafter, until and including the year of operation ending May 31, 1987. The transfer of the said sum of \$500,000 for each year of operation shall be made on or before July 31 next following the close of the year of operation for which it is made: *Provided*, That any such transfer for any year of operation which shall have ended at the time this section 2 (d) shall become effective shall be made, without interest, from revenues received in the Colorado River Dam Fund, as expeditiously as administration of this act will permit, and without readvances from the general funds of the Treasury. Receipts of the Colorado River Development Fund for the years of operation ending in 1938, 1939, and 1940 (or in the event of reduced receipts during any of said years, due to adjustments under section 3 hereof, then the first receipts of said fund up to \$1,500,000), are authorized to be appropriated only for the continuation and extension, under the direction of the Secretary, of studies and investigations by the Bureau of Reclamation for the formulation of a comprehensive plan for the utilization of waters of the Colorado River system for irrigation, electrical power, and other purposes, in the States of the upper division and the States of the lower division, including studies of quantity and quality of water and all other relevant factors. The next such receipts up to and including the receipts for the year of operation ending in 1955 are authorized to be appropriated only for the investigation and construction of projects for such utilization in and equitably distributed among the four States of the upper division: *Provided, however*, That in view of distributions heretofore made, and in order to expedite the development and utilization of water projects within all of the States of the upper division, the distribution of such funds for use in the fiscal years 1949 to 1955, inclusive, shall be on a basis which is as nearly equal as practicable. Such receipts for the years of operation ending in 1956 to 1987, inclusive, are authorized to be appropriated for the investigation and construction of projects for such utilization in and equitably distributed among the States of the upper division and the States of the lower division. The terms 'Colorado River system', 'States of the upper division', and 'States of the lower division' as so used shall have the respective meanings defined in the Colorado River compact mentioned in the project act. Such projects shall be only such as are found by the Secretary to be physically feasible, economically justified, and consistent with such formulation of a comprehensive plan. Nothing in this act shall be construed so as to prevent the authorization and construction of any such projects prior to the completion of said plan of comprehensive development; nor shall this act be construed as affecting the right of any State to proceed independently of this act or its provisions with the investigation or construction of any project or projects. Transfers under this section 2 (d) shall be deemed contractual obligations of the United States,

subject to the provisions of section 8 of this act."

Sec. 2. The availability of appropriations from the Colorado River development fund for the investigation and construction of projects in any of the States of the Colorado River Basin shall not be held to forbid the expenditure of other funds for those purposes in any of those States where such funds are otherwise available therefor.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATING SWITZERLAND FOR WORLD WAR II DAMAGES

The Clerk called the bill (S. 1605) to provide for the payment of a sum not to exceed \$12,000,000 to the Swiss Government as partial compensation for damage inflicted on Swiss territory during World War II by the United States armed forces in violation of neutral rights, and authorizing appropriations therefor.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDING RECLAMATION PROJECT ACT OF 1939

The Clerk called the bill (H. R. 3194) to amend the Reclamation Project Act of 1939.

Mr. POULSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LANGLADE COUNTY, WIS.

The Clerk called the bill (H. R. 6113) to transfer certain land in Langlade County, Wis., to the United States Forest Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon the written consent of the majority of directors, Wisconsin Rural Rehabilitation Corporation, the Secretary of Agriculture is hereby directed to convey, grant, transfer, and quitclaim forthwith to the United States, for subsequent administration as a part of the Nicolet National Forest and subject to the rules and regulations applicable to national-forest lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended, all right, title, claim, interest, equity, and estate in and to the following-described lands administered by the Secretary as trustee, under an agreement of transfer dated May 16, 1937, with the Wisconsin Rural Rehabilitation Corporation, and situated in the county of Langlade, State of Wisconsin, together with the improvements thereon and the rights and the appurtenances thereunto belonging or appertaining: Township 33 north, range 9 east, fourth principal meridian, section 16, northwest quarter, north half northeast quarter, southwest quarter northeast quarter, and north half south half; section 17, northeast quarter; section 22, east half northwest quarter.

Sec. 2. The Chief of the Forest Service is hereby directed to utilize, insofar as practicable, the property transferred pursuant to this act as an experimental and demonstration forest. Such use is found to be in the general interest of rural rehabilitation.

Sec. 3. Any such transfer shall not be deemed to impose any liability upon the Secretary of Agriculture with respect to his obligation under such agreement to transfer of May 16, 1937.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE I OF BANKHEAD-JONES FARM TENANT ACT

The Clerk called the bill (H. R. 6114) to amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the redemption of non-delinquent insured mortgages, to authorize advances for the preservation and protection of the insured loan security, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following sections of title I of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

Sec. 1. Amend subsection (b) (2) of section 3 to read:

"(2) provide for the payment of interest on the unpaid balance of the loan at the rate of 4 percent per annum;"

Sec. 2. Amend subsection (c) (4) of section 12 to read:

"(4) the mortgage instruments shall comply with section 3 (b), except that the base rate of interest shall be 3 percent per annum;"

Sec. 3. Amend subsection (e) (1) of section 12 to read:

"The Secretary shall collect from the mortgagor for mortgage insurance an annual charge at the rate of 1 percent of the outstanding principal obligation of the mortgage; the initial charge shall be collected simultaneously with the insurance of the mortgage and shall cover the period from the date of loan closing to the date of the first installment payable on the loan; the next and each succeeding charge shall be computed on the outstanding principal obligation remaining unpaid after the due date of each installment payable on the loan, and shall be payable on or before the next succeeding due date of an installment of principal and interest. If the principal obligation of the mortgage is paid in full in less than 5 years after the time when the mortgage was entered into, the Secretary may require payment by the mortgagor of the entire annual charge computed for the year then current, and an additional charge equal to the annual charge for such year. The Secretary may modify existing contracts so as to require future payments thereunder in accordance with the provisions of this section."

Sec. 4. Amend subsection (f) of section 12 by striking out subsections (2) and (3), and inserting in lieu thereof the following new subsections (2), (3), and (4).

"(2) If the mortgagor has failed to pay to the Secretary the full amount of any installment on or before the due date thereof, the Secretary shall pay promptly the unpaid amount of such installment of principal and interest to the mortgagee, less the amount of any previous prepayments except payments from proceeds from the voluntary or involuntary sale of any part of the mortgaged property or from royalties from leases under which the value of the security is depreciated.

"(3) If the mortgagor fails to pay any amounts due for taxes, special assessments, water rates, and other amounts which may become liens prior to the mortgage, and any

amounts due for property insurance premiums, such amounts may be paid by the Secretary, either before or after assignment of the insured mortgage to the Secretary for the account of the mortgagor as provided in paragraph (4) below.

"(4) Payments by the Secretary under paragraphs (2) and (3) shall be advanced out of the funds for the account of the mortgagor. Such advances shall be repaid to the fund out of the first available collections received from the mortgagor. Such advances shall bear interest at the rate fixed in the insured mortgage payable out of any subsequent collections, and, until repaid, the advance and interest thereon shall be added to subsequent installments."

SEC. 5. Amend section 12 by adding at the end thereof the following new subsection (j).

"(j) The Secretary is authorized to enter into agreements from time to time with the holder of a mortgage heretofore or hereafter insured under this title that any holder thereof, at the holder's option, shall be entitled, upon assignment of such mortgage to the Secretary within 1 year after the expiration of a period fixed by such agreement, to have the mortgage purchased by the Secretary even though the mortgage is not then in default, provided the initial fixed period shall be not less than 5 years from the date of the insured mortgage. Such assignment shall be accomplished in the same manner and the value of such mortgage shall be determined on the same basis as provided by section 13 for mortgages in default. The Secretary may purchase any such mortgage with moneys in the fund and may sell it at its value likewise determined in accordance with section 13 at the time he sells it, and reinsure it, if necessary, or he may retain it for the account of the fund until the indebtedness is discharged through refinancing by the mortgagor, by foreclosure, or otherwise. The value of all such mortgages retained for the fund as herein provided shall not be included in computing the aggregate amount of mortgage obligations that may be insured in any one fiscal year, as provided in section 12 (b). If there should not be sufficient cash in the fund to enable the Secretary to make payments to purchase mortgages as provided in this subsection, in order to obtain funds to make such payments notes may be issued and purchased in the same manner as provided in section 13."

SEC. 6. Amend subsection (a) of section 14 by adding at the end thereof the following sentence: "Expenses and fees incident to foreclosure may be advanced out of the fund for the account of the mortgagor."

SEC. 7. Amend subsection (b) of section 14 to read:

"(b) Amounts realized under section 51 on account of property which was subject to an insured mortgage shall be deposited in the fund. Amounts payable by the Secretary under section 50 with respect to such property, and any necessary costs and expenditures for the operation, preservation, and protection of such property, shall be paid out of the fund."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING VETERANS' PREFERENCE ACT OF 1944

The Clerk called the bill (H. R. 5508) to amend the Veterans' Preference Act of 1944 to extend the benefits of such Act to certain mothers of veterans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) clause (5) of section 2 of the Veterans' Preference Act of 1944, as amended, is amended by striking out "and were widows at the time of the

death or disability of their ex-serviceman son or ex-servicewoman daughter."

(b) Clause (6) of section 2 of such Act, as amended, is amended by striking out "(B) the mother was divorced or legally separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) said ex-serviceman son or ex-servicewoman daughter is the only child of said mother", and inserting in lieu thereof "and (B) the mother was divorced or legally separated from the father of said ex-serviceman son or ex-servicewoman daughter."

With the following committee amendment:

On page 1 strike out beginning with line 7 through line 14 and insert the following:

"(b) Clause (6) of section 2 of such Act, as amended, is amended by striking out '(B) The mother was divorced or legally separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) said ex-serviceman son or ex-servicewoman daughter is the only child of said mother,' and inserting in lieu thereof '(B) The mother was divorced or separated from the father of said ex-serviceman son or ex-servicewoman daughter, and (C) the mother has not remarried.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 32 (a) (2) OF THE TRADING WITH THE ENEMY ACT

The Clerk called the bill (H. R. 5960) to amend section 32 (a) (2) of the Trading With the Enemy Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BECKWORTH. Mr. Speaker, I object.

AMENDING THE TRADING WITH THE ENEMY ACT

The Clerk called the bill (H. R. 6116) to amend the Trading With the Enemy Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 33 of the Trading With the Enemy Act (40 Stat. 411), as amended, is hereby further amended to read as follows:

"Sec. 33. No return may be made pursuant to section 9 or 32 unless notice of claim has been filed: (a) in the case of any property or interest acquired by the United States prior to December 18, 1941, by August 9, 1948; or (b) in the case of any property or interest acquired by the United States on or after December 18, 1941, by July 31, 1949, or 2 years from the vesting of the property or interest in respect of which the claim is made, whichever is later. No suit pursuant to section 9 may be instituted after August 9, 1948, or after the expiration of 2 years from the date of the seizure by or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which relief is sought, whichever is later, but in computing such 2 years there shall be excluded any period during which there was pending a suit or claim for return pursuant to section 9 or 32 (a) hereof."

With the following committee amendment:

On page 2, line 8, after the comma insert "whichever is later."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INLAND WATERWAYS CORP.

The Clerk called the bill (H. R. 5318) to provide for the continuation of the transportation services of the Inland Waterways Corp., for the disposition of its property and other interests, and for other purposes.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

POSTAL SERVICE

The Clerk called the bill (H. R. 4964) to preserve seniority rights of 10-point preference eligibles in the postal service transferring from the position of letter carrier to clerk or from the position of clerk to letter carrier.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) any letter carrier or clerk in the postal service entitled as a preference eligible to 10 points under the Veterans' Preference Act of 1944, as amended, in addition to his earned rating who, on or after the date of enactment of this act, transfers from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, shall not incur loss of seniority by reason of such transfer if, within 30 days after such transfer, he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

(b) Any such letter carrier or clerk who, prior to the date of enactment of this act, has transferred from the position of letter carrier to that of clerk or from the position of clerk to that of letter carrier, as the case may be, and has incurred loss of seniority by reason of such transfer, shall be restored the seniority to which he would have been entitled if such transfer had not occurred if he presents to the Civil Service Commission evidence satisfactory to the Commission that such transfer was necessitated principally by reason of a disability which he received on active duty in the armed forces of the United States.

With the following committee amendment:

On page 2, after line 15, add the following: "(c) No regular employee shall be reduced to substitute status to accord the benefits of this act to another employee."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTING MINING OF POTASH ON PUBLIC DOMAIN

The Clerk called the bill (S. 1050) to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1947, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and dis-

position of potassium," approved October 2, 1917.

Mr. CHENOWETH. Mr. Speaker, I believe a rule has been granted on this bill, and it is now on the calendar. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMPENSATING HOLDERS OF GRAZING PERMITS

The Clerk called the bill (S. 1874) authorizing the head of the department or agency using the public domain for national-defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national-defense purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of July 9, 1942 (56 Stat. 654, 43 U. S. C., sec 315p), is amended by inserting the words "or national defense" between the word "war" and the word "purposes" wherever the latter two words appear in that act.

Sec. 2. This amendment is to take effect as of July 25, 1947.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEL NORTE COUNTY, CALIF.

The Clerk called the bill (H. R. 4874) authorizing the Secretary of the Interior to issue patent to the county of Del Norte, State of California, to Pelican Rock in Crescent City Harbor, Del Norte County, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to issue patent to the county of Del Norte, State of California, to Pelican Rock, containing about 1 acre, located northerly from Whaler Island in Crescent City Harbor, Del Norte County, Calif., for the purposes of a public wharf or for such other purposes as it may be of use in the construction, maintenance, and operation of Crescent City Harbor, Del Norte County, Calif.

Sec. 2. That the Secretary of the Interior is hereby directed to take such action as may be necessary to carry out the purposes of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That all the right, title, and interest of the United States in and to the island known as Pelican Rock, containing an estimated area of about 1 acre, and situated in the Pacific Ocean in the northern portion of section 33, township 16 north, range 1 west, Humboldt meridian, California, approximately a quarter of a mile north of Whaler Island, shown to be located in latitude 41 degrees 44 minutes 40 seconds north, and longitude 124 degrees 11 minutes 10 seconds west, on United States Coast and Geodetic Survey Chart entitled 'St. George Reef and Crescent City, Calif.,' is hereby conveyed to the County of Del Norte, State of California, for the purpose of a public wharf or for such other purposes as it may be of use in the construction, maintenance, and operation of Crescent City Harbor."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to transfer Pelican Rock in Crescent City Harbor, Del Norte County, Calif., to that county."

A motion to reconsider was laid on the table.

PUBLIC-LAND LAWS IN OKLAHOMA

The Clerk called the bill (H. R. 5071) to extend the public-land laws of the United States to certain lands, consisting of islands, situated in the Red River in Oklahoma.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the public-land laws of the United States be, and the same are hereby, extended to the public lands in that part of the Red River between the medial line and the south bank of the river, in Oklahoma, between the ninety-eighth meridian and the east boundary of the territory established as Greer County by the act of May 4, 1896 (29 Stat. 113): *Provided,* That such lands shall not be subject to disposition, settlement, or occupation until after the same have been classified and opened to entry, and other disposal by the Secretary of the Interior according to law.

Sec. 2. The Secretary of the Interior is hereby authorized to recognize equitable claims to such lands based on settlement made prior to January 1, 1934, and all homestead entries of such lands, the allowance of which was erroneous because the lands were not subject to entry, and all suspended entries and applications to make final proof, are hereby validated if otherwise regular.

Sec. 3. Patents on nonmineral entries, sections, or locations of such lands shall contain a reservation to the United States of all minerals therein, together with the right to prospect for, mine, and remove the same under applicable laws relating to such minerals: *Provided,* That the proceeds accruing to the United States from leases of the oil and gas deposits in such lands shall continue to be disposed of as provided by existing law.

Sec. 4. Except as to existing valid rights, the act of March 4, 1923 (42 Stat. 1448) is hereby repealed.

With the following committee amendments:

On page 2, line 5, insert "and directed."

Page 2, line 10, after the word "regular," insert "as of the date of the regular application."

Page 2, line 12, strike out all of section 3, and page 2, line 20, strike out "4" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURPLUS GOVERNMENT LANDS IN THE STATES OF GEORGIA AND TENNESSEE

The Clerk called the bill (H. R. 5936) to provide for the addition of certain surplus Government lands to the Chickamauga and Chattanooga National Military Park, in the States of Georgia and Tennessee, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, effective upon publication of notice, as hereinafter provided, there shall be added to the Chickamauga

and Chattanooga National Military Park, a strip of land, comprising not more than 100 acres, lying generally north of the present south line of Fort Oglethorpe and westward from the southeast corner thereof. The exact boundaries of the area added to the park shall be agreed upon by the Administrator, War Assets Administration, and the Director of the National Park Service.

When the boundaries of the aforesaid area have been agreed upon, the War Assets Administration shall furnish to the National Park Service a legal description of the lands to be added to the park, together with a map showing the boundaries and the acreage of the area.

Upon the receipt by the National Park Service of such legal description and map of the area, public notice that such lands are to become a part of the Chickamauga and Chattanooga National Military Park, effective on the date of publication of such notice, shall be given in the Federal Register.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT VANCOUVER NATIONAL MONUMENT

The Clerk called the bill (H. R. 5957) to provide for the establishment of the Fort Vancouver National Monument, in the State of Washington, to include the site of the old Hudson's Bay Co. stockade, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purpose of establishing a Federal area of national historical importance for the benefit of the people of the United States, to be known as the "Fort Vancouver National Monument," the Administrator of the War Assets Administration and the Secretary of the Army are authorized to transfer to the Secretary of the Interior, without exchange of funds, administrative jurisdiction over such federally owned lands and other property, real or personal, under their jurisdiction, including the site of the old Hudson's Bay Co. stockade in the State of Washington, as they shall find to be surplus to the needs of their respective agencies, such properties to be selected, with their approval, by the Secretary of the Interior for inclusion within the national monument.

Sec. 2. The total area of the national monument as established or as enlarged by transfers pursuant to this act shall not exceed 125 acres. Establishment of the monument shall be effective, upon publication in the Federal Register of notice of such establishment, following the transfer to the Secretary of the Interior of administrative jurisdiction over such lands as the Secretary of the Interior shall deem to be sufficient for purposes of establishing the national monument. Additional lands may be added to the monument in accordance with the procedure prescribed in section 1 hereof, governing surplus properties, or by donation, subject to the maximum acreage limitation prescribed by this act, upon publication of notice thereof in the Federal Register.

Sec. 3. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes," as amended.

With the following committee amendment:

Page 2, line 10, strike out "125" and insert "90."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF LANDS FOR GRAZING AND RELATED PURPOSES

The Clerk called the bill (H. R. 6073) to provide for the acquisition of lands for grazing and related purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (a) of section 8 of the act of June 28, 1934 (48 Stat. 1269, 1272), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C., sec. 315g), is hereby amended to read as follows: "That where such action will promote the purposes of a district or facilitate the administration of the public lands, the Secretary is authorized to accept on behalf of the United States any lands within or without the exterior boundaries of a grazing district as a gift."

SEC. 2. The last sentence of section 9 of the act of June 28, 1934 (48 Stat. 1269, 1273), is hereby amended by substituting for the words "the district" the following: "lands within or without the exterior boundaries of a grazing district."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF LEASES OF CERTAIN LAND IN THE TERRITORY OF HAWAII

The Clerk called the bill (H. R. 6229) to authorize the extension of leases of certain land in the Territory of Hawaii.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That where a lessee of water-front lands in the Territory of Hawaii under lease on April 1, 1946, has spent substantial sums in repairing or replacing improvements on such lands damaged or destroyed by the tidal wave of that date, then notwithstanding any provision of the Organic Act of Hawaii (31 Stat. 141), as amended, or of the laws of the Territory of Hawaii, the Commissioner of Public Lands of the Territory of Hawaii, at the request of the lessee, in his discretion may extend the term of the lease at the original rental: *Provided*, That no lease is extended beyond March 31, 1967.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINERAL LEASING ACT

The Clerk called the bill (H. R. 6302) to amend the Mineral Leasing Act of February 25, 1920, to permit the exercise of certain options on or before August 8, 1950.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second proviso of section 27 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended (U. S. C., 1946 ed., title 30, sec. 184), is hereby amended by striking out "within 2 years after the passage of this act" and inserting in lieu thereof "on or before August 8, 1950."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTRACT OF PURCHASE OF CERTAIN LANDS AND MINERAL DEPOSITS FROM CHOCTAW AND CHICKASAW NATIONS OF INDIANS

The Clerk called the next business, House Joint Resolution 363, providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. KEAN. Mr. Speaker, the amount involved is too great for the Consent Calendar, and therefore I object.

Mr. ALBERT. Mr. Speaker, will the gentleman reserve the right to object?

Mr. KEAN. I reserve the right.

Mr. ALBERT. This particular legislation is approval of a contract pursuant to a previous authorization granted in 1944. I just wondered whether the same objection would obtain under those circumstances.

Mr. KEAN. It would. I object.

AMENDING SECTION 303 (E) OF THE INTERSTATE COMMERCE ACT

The Clerk called the bill (H. R. 6078) to amend section 303 (e) of the Interstate Commerce Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (e) of section 303 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(e) (1) Notwithstanding any provision of this part the Commission may, by order, from time to time, upon application, or upon its own initiative without application, exempt from the requirements of this part the transportation of passengers between points in the United States by way of a foreign port or ports, upon a finding that application of such requirements thereto is not necessary to carry out the national transportation policy declared in this act.

"(2) It is hereby declared to be the policy of Congress to exclude from the provisions of this part, in addition to the transportation otherwise excluded under this section, transportation by contract carriers by water which, by reason of the inherent nature of the commodities transported, their requirement of special equipment or their shipment in bulk, is not actually and substantially competitive with transportation by any common carrier subject to this part or part I or part II. Upon application of a carrier, made in such manner and form as the Commission may by regulations prescribe, the Commission shall, subject to such reasonable conditions and limitations as the Commission may prescribe, by order exempt from the provisions of this part such of the transportation engaged in by such carrier as it finds necessary to carry out the policy above declared. A carrier (other than a carrier subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended) making such application prior to January 1, 1941, shall be exempt from the provisions of this part until a final determination has been made upon such application if such carrier or a predecessor in interest was in bona fide operation as a contract carrier by water on January 1, 1940, over the route or routes or between the ports with respect to which application is made and has so operated since that time (or, if engaged in furnishing seasonal service only, was in bona fide operation during the seasonal period prior to or including such date, for operations of the character in question)

except, in either event, for interruptions of service over which such carrier or its predecessor in interest had no control."

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

GETTYSBURG NATIONAL CEMETERY

The Clerk called the bill (H. R. 4688) to enlarge the Gettysburg National Cemetery.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to acquire, on behalf of the United States, by purchase, condemnation, or otherwise, the following-described land in the Borough of Gettysburg, Adams County, Pa.:

Beginning at a point at the corner of South Washington Street (also known as Taneytown Road) and the United States Government National Cemetery; thence along said street north $1\frac{1}{2}$ degrees west 356 feet to a point; thence north 57 degrees east 321 feet to a point at the corner of lands of Paul H. Ketterman; thence north 57 degrees west $179\frac{1}{2}$ feet to a point at corner of lands of Paul H. Ketterman on Steinwehr Avenue; thence along Steinwehr Avenue north 33 degrees east $179\frac{1}{2}$ feet to a point at corner of lands of Thomas J. Winebrenner and Son; thence south 35 degrees east 236 feet to a point at corner of lands of Emma Noel estate; thence north 59 degrees east 137 feet to a point at corner of lands of Emma Noel estate and lands of Harry Koch; thence south 30 degrees east $129\frac{1}{2}$ feet to a point; thence north 57 degrees east 200 feet to a point on Baltimore Street; thence south 30 degrees east along Baltimore Street 50 feet to a point at corner of lands of Margaret E. Kissinger; thence south 57 degrees west 312 feet to a point; thence south 30 degrees east $120\frac{1}{2}$ feet to a point along the north side of United States Government National Cemetery; thence along same south 57 degrees west 616 feet to a point, the place of beginning. Containing 5 acres and 4 perches, more or less.

SEC. 2. The land acquired pursuant to the first section of this act shall constitute a part of the Gettysburg National Cemetery and shall be reserved for the burial of World War I and World War II veterans and such other persons as may be entitled to interment in national cemeteries.

SEC. 3. There is authorized to be appropriated not to exceed the sum of \$10,000 to carry out the purposes of this act.

With the following committee amendment:

On page 2, line 25, strike out the words "beginning. Containing" and insert "beginning, containing."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AUTHORIZE THE COAST GUARD TO ESTABLISH AND MAINTAIN AIDS TO NAVIGATION

The Clerk called the bill (S. 1853) to authorize the Coast Guard to establish, maintain, and operate aids to navigation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to guide navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate within the United States, its Territories and possessions, and

beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and elsewhere—

(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate department within the National Military Establishment; and

(c) Loran stations (1) required to serve the needs of the armed forces of the United States; or (2) required to serve the needs of the maritime commerce of the United States; or (3) required to serve the needs of the air commerce of the United States as determined by the Administrator of Civil Aeronautics.

The Coast Guard in establishing, maintaining, or operating any aids to air navigation herein provided shall solicit the cooperation of the Administrator of Civil Aeronautics to the end that the personnel and facilities of the Civil Aeronautics Administration will be utilized to the fullest possible advantage. Before locating and operating any such aid on military or naval bases or regions, the consent of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, as the case may be, shall first be obtained. No such aid shall be located within the territorial jurisdiction of any foreign country without the consent of the government thereof. Nothing in this act shall be deemed to limit the authority granted by the provisions of section 77 of the act of January 12, 1895 (28 Stat. 621), or by section 5 (f) of the Air Commerce Act of 1926 (49 U. S. C. 175), or by title III of Civil Aeronautics Act of 1938, as amended (49 U. S. C. 451 and the following).

With the following committee amendment:

Strike out all after the enacting clause and insert: "That in order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard is authorized to establish, maintain, and operate—

"(a) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

"(b) aids to air navigation required to serve the needs of the armed forces of the United States as requested by the Secretary of the appropriate Department within the National Military Establishment; and

"(c) Loran stations (1) required to serve the needs of the armed forces of the United States; or (2) required to serve the needs of the maritime commerce of the United States; or (3) required to serve the needs of the air commerce of the United States.

"Sec. 2. Such aids to navigation other than Loran stations shall be established and operated only within the United States, its Territories and possessions, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located, and at other places where such aids to navigation have been established on the date of the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE COAST GUARD TO OPERATE AND MAINTAIN OCEAN STATIONS

The Clerk called the bill (S. 2122) to authorize the Coast Guard to operate and maintain ocean stations.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **KEAN**. Mr. Speaker, the cost of this bill is too great for the Consent Calendar. Therefore, I object.

INTERNATIONAL AIR-TRANSPORTATION SYSTEM

The Clerk called the bill (H. R. 6407) to encourage the development of an international air-transportation system adapted to the needs of the foreign commerce of the United States, of the postal service, and of the national defense, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the "International Aviation Facilities Act."

DEFINITIONS

Sec. 2. For the purposes of this act:

(1) The term "Air Coordinating Committee" means the committee established by Executive Order No. 9781, dated September 19, 1946, or such successor agency or agencies as may exercise the same or equivalent powers whether created by Executive order or legislative enactment.

(2) The term "airport property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of an airport, including but not limited to (1) land; (2) runways, strips, taxiways, and parking aprons; (3) buildings, structures, improvements, and facilities, whether or not used in connection with the landing and take-off of aircraft; and (4) equipment (including parts and components thereof), furniture, vehicles, and supplies.

(3) The term "airway property" means any property, real or personal, or any interest therein, used or useful, directly or indirectly, in connection with the administration, operation, or maintenance of any ground installation, facility, or equipment (including parts and components thereof) necessary or desirable for the orderly and safe operation of air traffic, including but not limited to air navigation, air-traffic control, airways, communications, and meteorological facilities.

(4) The term "foreign territory" means any area of land or water over which no nation or a nation other than the United States exercises the incidents of sovereignty (including territory of undetermined sovereignty and the high seas), any area of land or water temporarily under military occupation by the United States, and any area of land or water occupied or administered by the United States or any other nation under any international agreement.

ESTABLISHMENT AND OPERATION, IN FOREIGN TERRITORY, OF FACILITIES RELATED TO AVIATION

Sec. 3. After consultation with the Air Coordinating Committee and subject to concurrence of the Secretary of State, and with due regard for the objectives of the International Civil Aviation Organization, the Administrator of Civil Aeronautics (hereinafter referred to as the "Administrator") and the Chief of the Weather Bureau of the Department of Commerce, within their respective fields, are authorized, by contract or otherwise, whenever funds therefor have been specifically appropriated by the Congress, to acquire, establish, and construct airport property and airway property in foreign territory, and to conduct related services.

TRAINING OF FOREIGN NATIONALS IN AERONAUTICAL AND RELATED SUBJECTS

Sec. 4. Subject to the concurrence of the Secretary of State, the Administrator and

the Chief of the Weather Bureau, within their respective fields, are authorized within or outside the United States to train foreign nationals directly, or in conjunction with any other United States Government agency, or through any United States public or private agency (including any State or municipal educational institution), or through any international organization, in aeronautical and related subjects essential to the orderly and safe operation of civil aircraft.

ACCEPTANCE OF FUNDS FOR FACILITIES SUPPLIED OR SERVICES PERFORMED FOR A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

Sec. 5. The Administrator and the Chief of the Weather Bureau, respectively, are authorized to accept, on behalf of the United States, funds from any foreign government or from any international organization as payment for any facilities supplied or services performed for such government or international organization by the Administrator or the Chief of the Weather Bureau, either directly or indirectly, under authority of this act or of the Civil Aeronautics Act of 1938, as amended, including the operation of airport property and airway property in such countries, the training of foreign nationals, the rendering of technical assistance and advice to such countries, and the performance of other similar services. Funds so received may be credited (A) to appropriations current at the time the expenditures are to be or have been paid, (B) to appropriations current at the time such amounts are received, or (C) in part as provided under clause (A) and in part as provided under clause (B).

TRANSFER OF AIRPORT PROPERTY OR AIRWAY PROPERTY TO A FOREIGN GOVERNMENT OR AN INTERNATIONAL ORGANIZATION

Sec. 6. With the unanimous approval of the Air Coordinating Committee, the Administrator or the Chief of the Weather Bureau, as the case may be, upon request of the foreign government involved or of any international organization, may transfer any airport property or airway property operated and maintained by him within foreign territory, pursuant to the provisions of this act, to the foreign government involved or to any international organization. The Administrator or the Chief of the Weather Bureau, as the case may be, is authorized to make such transfer upon such terms and conditions as he deems proper, including provision for receiving, on behalf of the United States, such payment or other consideration for the property so transferred as may be agreed upon through negotiations with the foreign government or international organization involved.

FACILITIES, SERVICE, AND PROPERTY IN THE CANAL ZONE AND IN THE REPUBLIC OF PANAMA

Sec. 7. (a) Subject to the approval of the Secretary of Defense, the Administrator is authorized to provide air navigation, communications, and air traffic control facilities and service in the Canal Zone and the Republic of Panama and to do all things necessary in connection with the operation and maintenance thereof.

(b) In exercising and performing his powers and duties under this section, the Administrator shall do so consistently with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and the Republic of Panama.

(c) Any department of the National Military Establishment is authorized in its discretion to transfer without charge therefor to the Administrator any airport property or airway property or other real or personal property which (1) is located in the Canal Zone or the Republic of Panama, and (2) is determined by the Administrator to be, or likely to become, useful in carrying out the purposes of this act.

(d) The authority conferred by this section may be exercised without regard to sections 3 and 8 (a) of this act.

TRANSFER OF CERTAIN PROPERTY FROM THE NATIONAL MILITARY ESTABLISHMENT TO THE ADMINISTRATOR OR THE WEATHER BUREAU

SEC. 8. (a) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Administrator, without charge therefor, airport property and airway property, exclusive of meteorological facilities, installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes and which in the opinion of the Administrator are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(b) When considered consistent with the needs of national defense, and subject to such conditions, if any, as may be agreed upon in specific cases between the parties, any department of the National Military Establishment is authorized to transfer at its discretion to the Chief of the Weather Bureau without charge therefor, meteorological facilities installed by or in the possession of such department in territory (including Alaska) outside the continental limits of the United States, which such department has found to be no longer required exclusively for military purposes, and which, in the opinion of the Chief of the Weather Bureau are, or are likely to become, necessary for carrying out the purposes of this act. Transfer of property in foreign territory shall be made hereunder only after consultation with the Air Coordinating Committee.

(c) All property transferred to the Department of Commerce under the provisions of Executive Order 9709, dated March 29, 1946, and Executive Order 9797, dated November 6, 1946, and which is in the possession of the Department of Commerce on the date of the enactment of this act shall be considered as property transferred pursuant to this section.

AUTHORITY TO RETAKE PROPERTY TRANSFERRED UNDER SECTION 7 OR 8

SEC. 9. When necessary to meet military requirements, as determined by the Secretary of the department which made the transfer, such department is authorized immediately to retake any property transferred under section 7 or section 8, together with any improvements or additions made thereto: *Provided*, That the Secretary of such department, upon the recommendation of the Administrator or the Chief of the Weather Bureau, as the case may be, is authorized in any case to waive any right or privilege conferred or reserved by this section. In the event property is retaken which incorporates improvements or additions not made at Government expense, reasonable compensation shall be paid to the person or persons who made such improvements or additions, or to their successors in interest. The Secretary of the department which made the transfer, or his duly authorized representative, shall determine, for purposes of this section, what is reasonable compensation for such improvements or additions.

POWERS OF ADMINISTRATOR AND CHIEF OF WEATHER BUREAU WITH RESPECT TO CERTAIN AIRPORT PROPERTY AND AIRWAY PROPERTY

SEC. 10. (a) With regard to airport property and airway property in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this act or any other provision of law, the Administrator is empowered and directed to do and perform, by contract or otherwise, all acts and things necessary or incident to their consolidation, operation, protection, maintenance, improve-

ment, and administration, including but not limited to the power (1) to adapt, from time to time, such properties to the needs of civil aeronautics by construction, installation, re-engineering, relocation, or otherwise; (2) to make and amend such reasonable rules and regulations as he may deem necessary to the proper exercise of the powers granted by this section; (3) to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed 20 years) space or property for purposes essential or appropriate to their consolidation, operation, protection, and administration under this act; (4) to contract for, or to provide directly for, the sale of fuel, oil, equipment, food and supplies, hotel accommodations, and other facilities and services necessary or desirable for the operation and administration of such properties; (5) to make just and reasonable charges for aeronautical services (including fees for use of navigational aids, communication services, landing facilities, and similar services); and (6) to acquire, by purchase or otherwise, real or personal property, or interest therein, which he may consider necessary for the purposes of this section. Any person who knowingly and willfully violates any rule or regulation issued by the Administrator under clause (2) of this section, if such violation is committed in any area under the civil jurisdiction of the United States, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$500 or to imprisonment not exceeding 6 months, or to both such fine and imprisonment.

(b) With regard to meteorological facilities in territory (including Alaska) outside the continental limits of the United States which he has acquired pursuant to this act or any other provision of law, the Chief of the Weather Bureau is vested with all powers to consolidate, operate, protect, maintain, improve, and administer granted the Administrator by subsection (a) with respect to facilities the latter has acquired.

(c) All funds received under this section, as a result of direct sale or charge by the Administrator or the Chief of the Weather Bureau and which, in the judgment of the Administrator or the Chief of the Weather Bureau, as the case may be, are equivalent to the cost, including handling charges, of the fuel, oil, equipment, food, supplies, services, shelter, or other assistance or services sold or furnished shall be credited to the appropriation from which the cost thereof was paid, and the balance, if any, shall be credited to miscellaneous receipts.

UTILIZATION OF FACILITIES AND SERVICES OF OTHER GOVERNMENT AGENCIES

SEC. 11. The Administrator and the Chief of the Weather Bureau are authorized and directed, in carrying out the provisions of this act, insofar as they find it practicable, to arrange for the use of appropriate facilities or services of other United States Government agencies, and to reimburse any such agency for such service out of funds appropriated to the Civil Aeronautics Administration or the Weather Bureau, as the case may be, to the end that personnel and facilities of existing United States Government agencies shall be utilized to the fullest possible advantage and not be unnecessarily duplicated.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 12. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF WILDLIFE-REFUGE LANDS

The Clerk called the bill (H. R. 6030) to authorize the exchange of wildlife-

refuge lands within the State of Washington.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized, in his discretion, at any time within 10 years from the date of the approval of this act, to accept from the State of Washington on behalf of the United States title to any lands in the State of Washington which he deems chiefly valuable for wildlife refuge purposes, and which are equivalent in value to the lands of the United States within the Skagit National Wildlife Refuge, and in exchange therefor to convey by deed on behalf of the United States to the State of Washington the said lands of the United States in the Skagit National Wildlife Refuge.

SEC. 2. Any lands acquired by the Secretary of the Interior under the terms of this act, if located within or adjacent to an existing wildlife refuge or reservation, immediately shall become a part of such refuge or reservation and shall be administered under the laws and regulations applicable thereto, and, if not so located, may be administered as a migratory-waterfowl management area, refuge, reservation, or breeding ground in accordance with the provisions of the act of August 14, 1946 (60 Stat. 1080), and acts supplementary thereto.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMISSIONED OFFICERS OF THE COAST AND GEODETIC SURVEY

The Clerk called the bill (H. R. 6204) to extend to commissioned officers of the Coast and Geodetic Survey the provisions of the Armed Forces Leave Act of 1946.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of August 9, 1946 (60 Stat. 963), as now or hereafter amended, relating to the granting of annual leave and compensation for leave accumulated in excess of 60 days on August 31, 1946, shall apply to commissioned officers of the Coast and Geodetic Survey to the same extent and with the same relative conditions as are provided therein for commissioned officers of the armed forces: *Provided*, That the term "Secretary" as used in such act shall mean, in the case of commissioned officers of the Coast and Geodetic Survey, the Secretary of Commerce: *And provided further*, That in any case in which a commissioned officer of the Coast and Geodetic Survey on active duty on September 1, 1946, excepting officers on terminal leave on that date, had to his credit on August 31, 1946, accumulated or accrued leave aggregating in excess of 60 days, such leave in excess of 60 days not subsequently taken shall be settled and compensated for in cash on the basis of the rate of pay and allowances applicable to such officer on August 31, 1946, if application is made therefor to the Secretary of Commerce within 1 year after the date of approval of this act.

SEC. 2. Funds appropriated by the act of August 8, 1946 (Public Law 663, 79th Cong.), to enable the President to carry out the provisions of the Armed Forces Leave Act of 1946, are hereby made available for carrying out the provisions of this act and may be allotted to the Department of Commerce by transfer to and merger with appropriations thereof or otherwise, in such amounts as may be determined by the Director of the Budget.

SEC. 3. The provisions of this act shall be effective from August 9, 1946.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGES IN TIME OF HOLDING COURT IN CERTAIN DIVISIONS IN THE EASTERN AND WESTERN DISTRICTS OF SOUTH CAROLINA

The Clerk called the bill (H. R. 5106) to provide for changes in the time of holding court in certain divisions in the eastern and western districts of South Carolina.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 105 of the Judicial Code, as amended (U. S. C., 1940 ed., title 28, sec. 186), is hereby amended to read as follows:

"Sec. 105. The State of South Carolina is divided into two districts to be known as the eastern and western districts of South Carolina.

"The western district shall include the territory embraced on the 1st day of July 1910 in the counties of Abbeville, Anderson, Cherokee, Chester, Edgefield, Fairfield, Greenville, Greenwood, Lancaster, Laurens, Newberry, Oconee, Pickens, Saluda, Spartanburg, Union, and York.

"The western district of South Carolina is divided into five divisions, to be known as the Anderson, Greenville, Greenwood, Rock Hill, and Spartanburg divisions. The Anderson division shall include the territory embraced in the counties of Anderson, Oconee, and Pickens. The Greenville division shall include the territory embraced in the counties of Greenville and Laurens. The Greenwood division shall include the territory embraced in the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda. The Rock Hill division shall include the territory embraced in the counties of Chester, Fairfield, Lancaster, and York. The Spartanburg division shall include the territory embraced in the counties of Cherokee, Spartanburg, and Union. The terms of the district court for the Anderson division shall be held at Anderson, for the Greenville division at Greenville, for the Greenwood division at Greenwood, for the Rock Hill division at Rock Hill, and for the Spartanburg division at Spartanburg. Terms of the district court for the western district shall be held at Anderson on the second Monday in May and the third Monday in November; at Spartanburg on the first Monday in April and the first Monday in October; at Greenwood on the third Monday in May and the first Monday in December; at Rock Hill on the second Monday in March and the fourth Monday in September; and at Greenville on the third Monday in February and the fourth Monday in October.

"The eastern district shall include the territory embraced on the 1st day of July 1910 in the counties of Aiken, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Kershaw, Lee, Lexington, Marion, Marlboro, Orangeburg, Richland, Sumter, and Williamsburg.

"The eastern district of South Carolina is divided into five divisions, to be known as the Aiken, Charleston, Columbia, Florence, and Orangeburg divisions. The Aiken division shall include the territory embraced in the counties of Aiken, Allendale, Barnwell, and Hampton. The Charleston division shall include the territory embraced in the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Georgetown, and Jasper. The Columbia division shall include the territory embraced in the counties of Kershaw, Lee, Lexington, Richland, and Sumter. The Florence division shall include the territory embraced in the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, and Williamsburg. The Orangeburg division shall include the territory embraced in the counties of Calhoun, Bamberg, and Orangeburg. The terms of the district

court for the Aiken division shall be held at Aiken, for the Charleston division at Charleston, for the Columbia division at Columbia, for the Florence division at Florence, and for the Orangeburg division at Orangeburg.

"Terms of the district court for the eastern district shall be held at Aiken on the fourth Monday in March and the third Monday in September; at Charleston on the third Monday in January, the second Monday in May, and the second Monday in October; at Columbia on the third Monday in February, the third Monday in June, and the fourth Monday in October; at Florence on the fourth Monday in April and the first Monday in December; and at Orangeburg on the second Monday in April and the third Monday in November: *Provided*, That facilities for holding court at Orangeburg are furnished free of expense to the United States. The office of the clerk of the district court for the western district shall be at Greenville and the office of the clerk of the district court for the eastern district shall be at Charleston.

"All criminal cases shall be tried in the division in which the offense was committed, unless upon proper showing the venue would be changed by the judge from one division to another, and this change be made only upon affidavits and motion made in open court after 4 days' notice to the adverse party."

With the following committee amendments:

Page 1, line 10, strike out "1910" and insert in lieu thereof "1947."

Page 2, line 2, insert "McCormack", after the name "Laurens."

Page 3, line 8, strike out "1910" and insert in lieu thereof "1947."

Page 3, line 9, insert "Allendale", after the name "Aiken."

Page 3, line 11, insert "Jasper", at the end of the line.

The committee amendments were agreed to.

Mr. BRYSON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BRYSON:

On page 3, line 1, strike out the word "second" and insert in lieu thereof the word "third."

On page 3, line 4, strike out the word "third" and insert in lieu thereof the word "second."

On page 4, line 15, strike out the word "third" and insert in lieu thereof the word "first."

The SPEAKER. The gentleman from South Carolina is recognized for 5 minutes.

Mr. BRYSON. Mr. Speaker—

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. BRYSON. I yield.

Mr. KEAN. I may say to the gentleman from South Carolina that it is a little unusual to have an amendment offered after we have let a bill go through. Usually the Members will come to the objectors and tell them that they are going to offer such-and-such an amendment so the objectors can decide whether they want to let the bill come up by unanimous consent.

Mr. BRYSON. Mr. Speaker, I may say to the gentleman from New Jersey that I spoke to two Members of his committee. I am sorry I did not speak to him.

Mr. KEAN. All right.

Mr. BRYSON. I may say to the gentleman that we have three Federal judges in our State, one of them known as a floating judge. There are two Federal

districts. This is just a rearrangement of the time of holding court in the different districts. It involves no additional cost whatever.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF CERTAIN LANDS WITHIN CHOPAWAMSIK PARK

The Clerk called the bill (H. R. 6246) to authorize the transfer of certain Federal lands within the Chopawamsic Park to the Secretary of the Navy, the addition of lands surplus to the Department of the Army to this park, the acquisition of additional lands needed to round out the boundaries of this park, to change the name of said park to Prince William Forest Park, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to transfer to the Secretary of the Navy control and jurisdiction over those parcels of land within the Chopawamsic Park, known hereafter as the Prince William Forest Park, a part of the park system of the National Capital and its environs by act of Congress of August 13, 1940 (54 Stat. 785), comprising approximately 5,000 acres, lying south of the Joplin Road and contiguous to the marine base at Quantico, Va., with the exception of approximately 4 acres at the intersection of roads 626 and 620, which land contains the fire tower, upon assurance that the Secretary of the Navy will guarantee the potability and the undamaged source of water of the South Branch of Quantico Creek to the lands lying east of route 619, now or hereafter acquired for the Chopawamsic Park: *Provided, however*, That the transfer of jurisdiction herein authorized shall not be effectuated until funds have been made available by the Congress for the acquisition of the lands referred to in section 3 of this act.

Sec. 2. That all of the lands that were formerly acquired by the War Department and that are now surplus to the needs of the Department of the Army within and adjacent to the Chopawamsic Park, comprising approximately 1,138⁶²/₁₀₀ acres, are hereby added to and made a part of that park, and shall be subject to all the laws, rules, and regulations applicable thereto.

Sec. 3. That the Secretary of the Interior and the Secretary of the Navy be, and they are hereby, authorized to acquire on behalf of the United States, by donation or purchase, lands adjoining or contiguous to the Chopawamsic Park, in the State of Virginia, as may be necessary for the proper rounding out of the boundaries of that park, but not exceeding 1,500 acres. The title to real property acquired pursuant to this act shall be satisfactory to the Attorney General of the United States. All property acquired by the United States pursuant to this act shall become a part of the Chopawamsic Park upon acceptance of title thereto, and shall be subject to all laws, rules, and regulations applicable thereto.

Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of section 3 of this act.

With the following committee amendments:

Page 3, line 11, strike out the word "are" and insert in lieu thereof the word "is"; strike out the word "such" and insert in lieu thereof the word "not."

Page 3, line 12, strike out the words "sums as may be necessary" and insert in lieu thereof the words "to exceed the sum of \$10,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILEAGE ALLOWANCE FOR UNITED STATES MARSHALS

The Clerk called the bill (S. 692) to authorize a mileage allowance of 7 cents per mile for United States marshals and their deputies for travel on official business.

THE SPEAKER. Is there objection to the present consideration of the bill?

MR. KEAN. Mr. Speaker, I object.

TITLE 3 OF UNITED STATES CODE

The Clerk called the bill (H. R. 6412) to codify and enact into law title 3 of the United States Code, entitled "The President."

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That title 3 of the United States Code, entitled "The President," is codified and enacted into positive law and may be cited as "3 U. S. C., § —," as follows:

TITLE 3—THE PRESIDENT

Sec.

1. Presidential elections and vacancies. 1
2. Office and compensation of President. 101
3. Protection of the President; the White House Police. 201

CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES

Sec.

1. Time of appointing electors.
2. Failure to make choice on prescribed day.
3. Number of electors.
4. Vacancies in electoral college.
5. Determination of controversy as to appointment of electors.
6. Credentials of electors; transmission to Secretary of State and to Congress; public inspection.
7. Meeting and vote of electors.
8. Manner of voting.
9. Certificates of votes for President and Vice President.
10. Sealing and endorsing certificates.
11. Disposition of certificates.
12. Failure of certificates of electors to reach President of Senate or Secretary of State; demand on State for certificate.
13. Same; demand on district judge for certificate.
14. Forfeiture for messenger's neglect of duty.
15. Counting electoral votes in Congress.
16. Same; seats for officers and Members of two Houses in joint meeting.
17. Same; limit of debate in each House.
18. Same; parliamentary procedure at joint meeting.
19. Vacancy in Offices of both President and Vice President; officers eligible to act.
20. Resignation or refusal of office.

CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES

TIME OF APPOINTING ELECTORS

§ 1. The electors of President and Vice President shall be appointed, in each State, on the Tuesday next after the first Monday in November, in every fourth year succeeding every election of a President and Vice President.

FAILURE TO MAKE CHOICE ON PRESCRIBED DAY

§ 2. Whenever any State has held an election for the purpose of choosing electors, and

has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State may direct.

NUMBER OF ELECTORS

§ 3. The number of electors shall be equal to the number of Senators and Representatives to which the several States are by law entitled at the time when the President and Vice President to be chosen come into office; except, that where no apportionment of Representatives has been made after any enumeration, at the time of choosing electors, the number of electors shall be according to the then existing apportionment of Senators and Representatives.

VACANCIES IN ELECTORAL COLLEGE

§ 4. Each State may, by law, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote.

DETERMINATION OF CONTROVERSY AS TO APPOINTMENT OF ELECTORS

§ 5. If any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least 6 days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least 6 days prior to said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

CREDENTIALS OF ELECTORS; TRANSMISSION TO SECRETARY OF STATE AND TO CONGRESS; PUBLIC INSPECTION

§ 6. It shall be the duty of the executives of each State, as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment, to communicate by registered mail under the seal of the State to the Secretary of State of the United States a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by section 7 of this title to meet, six duplicate originals of the same certificate under the seal of the State; and if there shall have been any final determination in a State in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors of such State, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate under the seal of the State to the Secretary of State of the United States a certificate of such determination in form and manner as the same shall have been made; and the certificate or certificates so received by the Secretary of State shall be preserved by him for 1 year and shall be a part of the public records of his office and shall be open to public inspection; and the Secretary of State of the United States at the first meeting of Congress thereafter shall transmit to the two Houses of Congress copies in full of each and every such certificate so received at the State Department.

MEETING AND VOTE OF ELECTORS

§ 7. The electors of President and Vice President of each State shall meet and give their votes on the first Monday after the second Wednesday in December next following their appointment at such place in each State as the legislature of such State shall direct.

MANNER OF VOTING

§ 8. The electors shall vote for President and Vice President, respectively, in the manner directed by the Constitution.

CERTIFICATES OF VOTES FOR PRESIDENT AND VICE PRESIDENT

§ 9. The electors shall make and sign six certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President and the other of the votes for Vice President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by direction of the executive of the State.

SEALING AND ENDORSING CERTIFICATES

§ 10. The electors shall seal up the certificates so made by them, and certify upon each that the lists of all the votes of such State given for President, and of all the votes given for Vice President, are contained therein.

DISPOSITION OF CERTIFICATES

§ 11. The electors shall dispose of the certificates so made by them and the lists attached thereto in the following manner:

First. They shall forthwith forward by registered mail one of the same to the President of the Senate at the seat of government.

Second. Two of the same shall be delivered to the secretary of state of the State, one of which shall be held subject to the order of the President of the Senate, the other to be preserved by him for 1 year and shall be a part of the public records of his office and shall be open to public inspection.

Third. On the day thereafter they shall forward by registered mail two of such certificates and lists to the Secretary of State at the seat of government, one of which shall be held subject to the order of the President of the Senate. The other shall be preserved by the Secretary of State for 1 year and shall be a part of the public records of his office and shall be open to public inspection.

Fourth. They shall forthwith cause the other of the certificates and lists to be delivered to the judge of the district in which the electors shall have assembled.

FAILURE OF CERTIFICATES OF ELECTORS TO REACH PRESIDENT OF SENATE OR SECRETARY OF STATE; DEMAND ON STATE FOR CERTIFICATE

§ 12. When no certificate of vote and list mentioned in sections 9 and 11 of this title from any State shall have been received by the President of the Senate or by the Secretary of State by the fourth Wednesday in December, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall request, by the most expeditious method available, the secretary of state of the State to send up the certificate and list lodged with him by the electors of such State; and it shall be his duty upon receipt of such request immediately to transmit same by registered mail to the President of the Senate at the seat of government.

SAME; DEMAND ON DISTRICT JUDGE FOR CERTIFICATE

§ 13. When no certificates of votes from any State shall have been received at the seat of government on the fourth Wednesday in December, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Secretary of State shall send a special messenger to the district judge

in whose custody one certificate of votes from that State has been lodged, and such judge shall forthwith transmit that list by the hand of such messenger to the seat of government.

FORFEITURE FOR MESSENGER'S NEGLIGENCE OF DUTY

§ 14. Every person who, having been appointed, pursuant to section 13 of this title, to deliver the certificates of the votes of the electors to the President of the Senate, and having accepted such appointment, shall neglect to perform the services required from him, shall forfeit the sum of \$1,000.

COUNTING ELECTORAL VOTES IN CONGRESS

§ 15. Congress shall be in session on the 6th day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted according to the rules in this subchapter provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State

authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SAME; SEATS FOR OFFICERS AND MEMBERS OF TWO HOUSES IN JOINT MEETING

§ 16. At such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this subchapter, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

SAME; LIMIT OF DEBATE IN EACH HOUSE

§ 17. When the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question 5 minutes, and not more than once; but after such debate shall have lasted 2 hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

SAME; PARLIAMENTARY PROCEDURE AT JOINT MEETING

§ 18. While the two Houses shall be in meeting as provided in this subchapter, the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw.

VACANCY IN OFFICES OF BOTH PRESIDENT AND VICE PRESIDENT; OFFICERS ELIGIBLE TO ACT

§ 19. (a) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

(b) If, at the time when under subsection (a) of this section a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, act as President.

(c) An individual acting as President under subsection (a) or subsection (b) of this section shall continue to act until the expiration of the then current Presidential term, except that—

(1) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(2) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the President or Vice President, then he shall act only until the removal of the disability of one of such individuals.

(d) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b) of this section, then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of Defense, Attorney General, Postmaster General, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor.

(2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in paragraph (1) of this subsection or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) of this subsection shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to act as President.

(e) Subsections (a), (b), and (d) of this section shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (d) of this section shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(f) During the period that any individual acts as President under this section, his compensation shall be at the rate then provided by law in the case of the President.

RESIGNATION OR REFUSAL OF OFFICE

§ 20. The only evidence of a refusal to accept, or of a resignation of the office of President or Vice President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State.

CHAPTER 2—OFFICE AND COMPENSATION OF PRESIDENT

Sec.

- 101. Commencement of term of office.
- 102. Salary.
- 103. Traveling expenses.
- 104. Salary of the Vice President.
- 105. Secretary to President; compensation.
- 106. Administrative assistants.
- 107. Detail of employees of executive departments to office of President.
- 108. Accommodations for vehicles.
- 109. Public property in and belonging to Executive Mansion.
- 110. Furniture for White House.
- 111. Office of Government Reports in the Executive Office of the President; annual appropriation; salary of Director.

COMMENCEMENT OF TERM OF OFFICE

§ 101. The term of 4 years for which a President and Vice President shall be elected, shall, in all cases, commence on the 20th day of January next succeeding the day on which the votes of the electors have been given.

SALARY

§ 102. The President shall receive in full for his services during the term for which he shall have been elected the sum of \$75,000 a year, to be paid monthly, and shall be entitled to the use of the furniture and other effects belonging to the United States and kept in the Executive Mansion.

TRAVELING EXPENSES

§ 103. There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding \$40,000 per annum, such sum when appropriated to be expended in the discretion of the President and accounted for on his certificate solely.

SALARY OF THE VICE PRESIDENT

§ 104. The Vice President shall receive in full for his services during the term for which he shall have been elected the sum of \$20,000 a year, to be paid monthly.

SECRETARY TO THE PRESIDENT; COMPENSATION

§ 105. The compensation for the position of Secretary to the President shall be at the rate of \$10,000 per annum.

ADMINISTRATIVE ASSISTANTS

§ 106. The President is authorized to appoint not to exceed six administrative assistants and to fix the compensation of each at the rate of not more than \$10,000 per annum. Each such administrative assistant shall perform such duties as the President may prescribe.

DETAIL OF EMPLOYEES OF EXECUTIVE DEPARTMENTS TO OFFICE OF PRESIDENT

§ 107. Employees of the executive departments and independent establishments of the executive branch of the Government may be detailed from time to time to the White House Office for temporary assistance.

ACCOMMODATIONS FOR VEHICLES

§ 108. The Quartermaster General of the Army shall provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, in the stables maintained in the District of Columbia by and for the use of his department.

PUBLIC PROPERTY IN AND BELONGING TO EXECUTIVE MANSION

§ 109. The steward, housekeeper, or such other employee of the Executive Mansion as the President may designate, shall, under the direction of the President, have the charge and custody of and be responsible for the plate, furniture, and public property therein, and shall, before entering upon the duties of the office, give bond for the faithful discharge thereof, said bond to be in the sum of \$10,000, and to be approved by the Director of the National Park Service. A complete inventory, in proper books, shall be made annually in the month of June, under the direction of the Director of the National Park Service, of all the public property in and belonging to the Executive Mansion, showing when purchased, its cost, condition, and final disposition. This inventory shall be submitted to the President for his approval, and shall then be kept for reference in the office of the Director of the National Park Service, which shall furnish a copy thereof to the steward, housekeeper, or other employees responsible for the property.

FURNITURE FOR WHITE HOUSE

§ 110. All furniture purchased for the use of the President's House shall be, as far as practicable, of domestic manufacture. With a view to conserving in the White House the best specimens of the early American furniture and furnishings, and for the purpose of maintaining the interior of the White House in keeping with its original design, the Director of the National Park Service is authorized and directed, with the approval of the President, to accept donations of furniture and furnishings for use in the White House, all such articles thus donated to become the property of the United States and to be accounted for as such. The said Director of the National Park Service is further authorized and directed, with the approval of the President, to appoint a temporary committee composed of one representative of the American Federation of Arts, one representative of the National Commission of Fine Arts, one representative of the National Academy of Design, one member of the American Institute of Architects, and five members representing the public at large; the said committee to have full power to select and pass on the articles in question and to recommend the same for acceptance.

OFFICE OF GOVERNMENT REPORTS IN THE EXECUTIVE OFFICE OF THE PRESIDENT; ANNUAL APPROPRIATION; SALARY OF DIRECTOR

§ 111. There is authorized to be appropriated annually to the Office of Government Reports in the Executive Office of the President a sum not exceeding \$1,500,000 in order to (a) provide a central clearinghouse through which individual citizens, organizations of citizens, and State or local governmental bodies may transmit inquiries and complaints and receive advice and information; (b) assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions; (c) collect and distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public; and (d) keep the President currently informed of the opinions, desires, and complaints of citizens and groups of citizens and of State and local governments with respect to the work of Federal agencies: *Provided*, That, in the expenditure of such funds, section 5 of title 41 shall not be construed to apply to any purchase or service where the aggregate amount involved does not exceed \$50: *Provided further*, That

the President may fix the salary of the Director of the Office of Government Reports at a rate of not more than \$10,000 per annum.

CHAPTER 3—PROTECTION OF THE PRESIDENT; THE WHITE HOUSE POLICE

Sec.

- 201. Protection of President and family authorized.
- 202. White House police; establishment, control, and supervision; privileges, powers, and duties.
- 203. Personnel; appointment; vacancies.
- 204. Grades, salaries, and transfers of appointees.
- 205. Appointment in accordance with civil-service laws.
- 206. Privileges of civil-service appointees.
- 207. Participation in police and firemen's relief fund.
- 208. Refunds to members appointed from United States Park Police force.
- 209. Appropriation to carry out provisions.

PROTECTION OF PRESIDENT AND FAMILY AUTHORIZED

§ 201. The protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States is authorized.

WHITE HOUSE POLICE; ESTABLISHMENT, CONTROL, AND SUPERVISION; PRIVILEGES, POWERS, AND DUTIES

§ 202. There is hereby created and established for the protection of the Executive Mansion and grounds in the District of Columbia a permanent police force, to be known as the "White House Police." Such force shall be under the control and direct supervision of the Chief of the Secret Service Division. The members of such force shall possess privileges and powers and perform duties similar to those of the members of the Metropolitan Police of the District of Columbia, and such additional privileges and duties as the Chief of the Secret Service Division may prescribe.

PERSONNEL, APPOINTMENT, AND VACANCIES

§ 203. (a) The White House Police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary, but not exceeding 110 in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner.

(b) Any vacancy in the Metropolitan Police force or in the United States Park Police force caused by appointments to the White House Police force shall be filled in the manner provided by law.

GRADES, SALARIES, AND TRANSFERS OF APPOINTEES

§ 204. (a) No person shall be appointed a member of the White House Police force at a grade lower than the grade held by him as a member of the Metropolitan Police force or of the United States Park Police force at the time of his appointment.

(b) A member of the White House Police force shall receive a salary at the rate provided for the corresponding grade in the Metropolitan Police force, and he shall be furnished with uniforms and other necessary equipment similar to the uniforms and equipment furnished the United States Park Police, and he shall be entitled to the same leave allowances as a member of the United States Park Police force.

(c) Any member of the White House Police force appointed thereto from the Metropolitan Police force or the United States Park Police force may be transferred to the

organization of which he was a member at the time of such appointment.

APPOINTMENT IN ACCORDANCE WITH CIVIL-SERVICE LAWS

§ 205. In addition to appointment from members of the Metropolitan Police force and the United States Park Police force, as provided in section 203 (a) of this title, members of the White House Police force may be appointed, and vacancies in such force filled, in accordance with the provisions of the civil-service laws and the regulations issued pursuant thereto.

PRIVILEGES OF CIVIL-SERVICE APPOINTEES

§ 206. Members appointed pursuant to section 205 of this title shall be entitled to the same privileges as to salary, grade, uniforms, equipment, transfer, leave, relief funds, retirement, and refunds as members appointed from the Metropolitan Police force and the United States Park Police force.

PARTICIPATION IN POLICE AND FIREMEN'S RELIEF FUND

§ 207. (a) A member of the United States Park Police force appointed to the White House Police force shall be included within the provisions of section 12 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916, as amended, upon payment into the policemen and firemen's relief fund, District of Columbia, of an amount equal to 1½ percent of the total basic salary received by him since September 1, 1916, as a member of such United States Park Police force and as a watchman of the United States in any public square or reservation of the District of Columbia.

(b) For the purposes of retirement under such act, service with the United States Park Police force and service as a watchman of the United States in any public square or reservation of the District of Columbia shall be deemed service with the White House Police force.

(c) Any member of the Metropolitan Police force appointed to the White House Police force shall continue to be subject to the provisions of section 12 of such act, and appointment of such member to the White House Police force or transfer of such member to his former organization shall not affect any right, privilege, or duty of such member under the provisions of such section of such act.

REFUNDS TO MEMBERS APPOINTED FROM UNITED STATES PARK POLICE FORCE

§ 208. A member of the United States Park Police force appointed to the White House Police force shall be paid a refund as provided for in section 724 of title 5, and upon transfer to the United States Park Police force he shall be paid a refund from the policemen and firemen's relief fund of all money paid by him as salary deductions into such fund, and he shall be reinstated and included within the provisions of sections 691, 693, 698, 707, 709-715, 716-719, 720-725, 727-729, and 730 of title 5 upon payment to the Secretary of the Treasury of an amount equal to the amount refunded to him, at the time of such appointment, under the provisions of section 724 of title 5, plus an amount equal to 2½ percent of the total basic salary received by him during the period of his service as a member of the White House Police force. For the purposes of retirement under sections 691, 693, 698, 707, 709-715, 716-719, 720-725, 727-729, and 730 of title 5, service with the White House Police force shall be deemed service with the United States Park Police force.

APPROPRIATION TO CARRY OUT PROVISIONS

§ 209. There is authorized to be appropriated, out of any money in the Treasury

not otherwise appropriated, such sums as may be necessary to carry out the provisions of sections 202-204, 207, and 208 of this title.

Sec. 2. The provisions of title 3, "The President," set out in section 1 of this act, shall be construed as a continuation of existing law and no loss of rights, interruption of jurisdiction, nor prejudice to matters pending on the effective date of this act shall result from its enactment.

Sec. 3. The sections or parts thereof of the Revised Statutes or Statutes at Large enumerated in the following schedule are hereby repealed. Any rights or liabilities now existing under such sections or parts thereof shall not be affected by this repeal.

Revised Statutes	U. S. Code	
	Title	Section
Section:		
131 ¹	3	1.
132.....	3	2.
133.....	3	3.
134.....	3	4.
137.....	3	8.
138.....	3	9, note.
139.....	3	10.
140.....	3	11, note.
141.....	3	13, note.
143.....	3	14, note.
144.....	3	15, note.
145.....	3	16.
151.....	3	23.
152.....	3	41.
153.....	3	42.
154.....	3	44.
1829.....	3	49.
1832 ²	3	50, note.
1833 ³	3	51, note.

Date	Statutes at Large		Volume	Page	U. S. Code	
	Chapter	Section			Title	Section
1887—Feb. 3....	90	1, 2, 3, 4, 5, 6, 7.	24	373-375	3	5 note, 6, 7 note, 17-20.
1888—Oct. 19....	1216	1, 2.	25	613	3	11 note, 12 note, 13 note.
1906—June 23....	3523	.....	34	454	3	43.
1907—Feb. 26....	1635	4.	34	993	3	44.
1909—Mar. 4....	297	1.	35	859	3	42.
1910—June 25....	384	9.	36	773	3	48.
1911—Mar. 4....	285	1.	36	1404	3	47.
1913—June 23....	3	1.	38	723	3	53.
1922—June 12....	218	.....	42	636	3	46.
Sept. 14....	308	1, 2, 3, 4, 5, 6, 7.	42	841-843	3	61-65, 66 note, 67.
1923—Feb. 13....	72	.....	42	1227	3	46.
1924—June 7....	292	1.	43	521	3	46.
1925—Feb. 28....	377	1, 2.	43	1091	3	49.
1925—Mar. 3....	468	1.	43	1198, 1199	3	46.
Mar. 4....	549	4.	43	1301	3	44.
1926—Apr. 22....	171	1.	44	305	3	45.
Apr. 22....	171	1.	44	305	3	46.
1927—Feb. 11....	104	1.	44	1069	3	46.
1928—May 16....	580	1.	45	573	3	46.
May 29....	859	1, 2, 3, 4, 5, 6.	45	945-947	3	59, 7a, 9a, 11a, 11b, 11c.
1929—Feb. 20....	270	1.	45	1230	3	46.
1930—Apr. 19....	201	1.	46	229	3	46.
May 14....	277	1, 2, 3, 4.	46	328, 329	3	61-63, 67.
1931—Feb. 23....	281	1.	46	1355	3	46.
1932—June 30....	330	1.	47	452	3	46.
1933—June 16....	101	1.	48	284	3	46.
1934—Mar. 28....	102	1.	48	509	3	46.
June 5....	390	1, 6, 7.	48	879	3	5a, 11b, 11c, 17, 41.
1935—Feb. 2....	3	1.	49	6	3	46.
May 28....	154	.....	49	304	3	62.
1936—Mar. 19....	156	1.	49	1168	3	46.
1937—June 28....	396	1.	50	330	3	46.
1938—May 23....	259	1.	52	411	3	46.
1939—Mar. 16....	11	1.	53	524	3	46.
Apr. 3....	36	301.	53	565	3	45a.

Footnotes at end of table.

Date	Statutes at Large		Volume	Page	U. S. Code	
	Chapter	Section			Title	Section
1940—Apr. 8....	107	1.	54	112	3	46.
Apr. 22....	133	.....	54	156	3	62.
1941—Apr. 5....	40	1.	55	93	3	46.
1942—June 27....	450	1.	56	392	3	46.
Oct. 9....	582	1, 2.	56	778	3	62a, 62b.
1943—June 26....	145	101.	57	169	3	46.
1944—June 27....	286	101.	58	361	3	46.
1945—May 3....	106	101.	59	106	3	46.
1946—Mar. 28....	113	101.	60	61	3	46.
Aug. 2....	744	17 (c).	60	811	3	43.
Aug. 2....	753	601 (a). ¹⁴	60	850	3	44.
1947—June 9....	102	.....	61	132	3	62.
July 18....	264	1 (a-f).	61	380, 381	3	24.
July 29....	343	311.	61	809	3	24.
July 30....	359	101.	61	885	3	46.

¹ All provisions not heretofore affected or modified by act Jan. 19, 1886, ch. 4, sec. 3, 24 Stat. 2.

² Only the words, "the President's House," appearing in this section.

³ Only the word, "Extension" following the words, "Architect of the Capitol;" and the words, "and the President's House," appearing in this section.

⁴ Only the words, "the Vice President of the United States," appearing in this section.

⁵ Only the words, "and after the 3d of March, 1909, the compensation of the President of the United States shall be \$75,000 per annum", in the eighth full paragraph appearing on this page.

⁶ Only the following paragraph appearing on this page: "The Quartermaster General of the Army shall provide suitable accommodations for the horses, carriages, and other vehicles of the President and of the Executive Office, in the stables maintained in the District of Columbia by and for the use of his department."

⁷ Only the words, "which protection is hereafter authorized," in the first paragraph appearing on this page.

⁸ Only the proviso in the first paragraph under the heading, "Office of the President", appearing on this page.

⁹ Only the proviso in the first paragraph under the heading, "Office of the President", on page 1198, said proviso commencing on page 1198, and ending on page 1199.

¹⁰ Only the quoted words, "the Vice President of the United States", appearing in the provisions amending act Feb. 26, 1907, ch. 1635, sec. 4, 34 Stat. 993.

¹¹ Only the following words: "and on and after July 1, 1926, the compensation for such position shall be at the rate of \$10,000 per annum", in the first paragraph under the heading, "Office of the President", appearing on this page.

¹² Only the proviso in the first paragraph under the heading, "The White House Office", appearing on this page.

¹³ Only the second proviso in the paragraph under the heading, "The White House Office", said proviso appearing on this page.

¹⁴ Only the words, "and the Vice President of the United States", appearing in subsection (a) of section 601.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REED of Illinois. Mr. Speaker, the bill H. R. 6412, to codify and enact into law title 3 of the United States Code, entitled "The President," has been favorably reported to the House by unanimous vote of the Committee on the Judiciary, as part of a comprehensive plan to enact the entire 50 titles of the code as legal evidence of the law. I wish to emphasize that this bill is not intended to make any substantive changes in existing law. As in the case of the bills enacting titles 1, 4, 6, 9, and 17, all of which have become law during this Congress, the sections of the present title of the code which are still in force and effect are reenacted without change. These provisions are derived from numerous sections of the Revised Statutes and Statutes at Large,

as amended. This bill repeals, without prejudice to existing rights or obligations, the many separate enactments which are incorporated in the proposed title thereby making it entirely unnecessary to have recourse to scores of volumes of the Statutes at Large and the Revised Statutes to determine the present status of the law.

As you know, title 3 of the United States Code in its existing form is only *prima facie* evidence of the law—the only legal evidence being in the Revised Statutes and the Statutes at Large. When this bill is enacted title 3 will be legal evidence and there will then be only one primary source of the laws on the subject. The title will thereafter be amended directly whenever amendment is desirable or necessary, and greater certainty and clarity will prevail—to say nothing of the convenience in finding the law in one place instead of scores of places.

The committee amendments to the bill are intended to eliminate provisions which are now obsolete and which should not be reenacted.

REASONS FOR THE AMENDMENTS

Section 111, relating to the Office of Government Reports, was based upon the act of June 9, 1941, authorizing an annual appropriation for the Office of Government Reports. This Office was consolidated with the Office of War Information which was subsequently abolished by Executive Order 9608. Thereafter, Executive Order 9809 of December 12, 1946, reestablished the Office of Government Reports, but no appropriation was made for such office in the Independent Offices Appropriation Act of 1948, and the conference committee on that bill recommended that the office be liquidated. The amendment therefore would eliminate this section from the proposed title 3 of the United States Code as obsolete.

The amendment which strikes out subsection (a) of section 207 is intended to restate the law as it exists today. Subsection (a) is obsolete in view of section 5 of the act of July 1, 1930, which provides that there should be deducted for the benefit of the policemen and firemen's relief fund 3½ percent of the monthly pay of each member of the United States Park Police and White House police force. It is understood that all the present White House policemen who were recruited from the Park Police force are, in fact, subject to this provision.

The amendment to subsection (b) of section 207 is in the nature of a clarifying amendment and to restate the law as it exists today by eliminating the provisions relating to watchmen of the United States in public squares of the District of Columbia, inasmuch as such designation was changed by section 3 of the act of December 5, 1919.

The amendment eliminating section 208 from the bill is intended to restate title 3 by eliminating obsolete provisions. It is believed that section 5 of the act of September 14, 1922, has been superseded and made obsolete by subsequent legislation which removed United States park police from the coverage of the civil-service retirement law and made them subject to section 12 of the act of September 1, 1916, as amended. See, in this

connection, sections 7 and 8 of the act of May 27, 1924—Forty-third United States Statutes, page 176—and section 5 of the act of July 1, 1930—Forty-sixth United States Statutes, page 840.

Mr. Speaker, I urge favorable action by the House on this bill.

The Clerk read the committee amendments, as follows:

Page 16, strike out the last two lines of the chapter analysis reading:

"111. Office of Government Reports in the Executive Office of the President; annual appropriation; salary of Director."

Strike out section 111 commencing on page 20, line 8, and ending on page 21, line 8.

Page 21, strike out the line in the chapter analysis reading:

"208. Refunds to members appointed from United States Park Police force."

Strike out "209" in the next line and insert in lieu thereof: "208."

Page 24, strike out lines 9 through 21; and on line 22, strike out "(b)" and insert in lieu thereof "§ 207. (a)" and strike out the words "such act" and insert in lieu thereof: "Section 12 of the act entitled 'An act making appropriations to provide for the expense of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes,' approved September 1, 1916, as amended."

Line 23, strike out the words "and service as a watchman of the United States in any public square or reservation of the District of Columbia."

Page 25, line 4, strike out "(c)" and insert in lieu thereof "(b)."

Strike out section 208 appearing on pages 25 and 26, and renumber section 209 to read "208."

Page 28, in the tabulation of Statutes at Large to be repealed, strike out the seventh line reading "June 9 * * * 189 * * * 55 247, 248 3 54."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHOCTAW COAL & RAILWAY CO.

The Clerk called the bill (H. R. 5891) to repeal an act approved August 24, 1894, entitled "An act to authorize the purchasers of the property and franchises of the Choctaw Coal & Railway Co. to organize a corporation, and to confer upon the same all the powers, privileges, and franchises vested in that company," and all acts amendatory thereof and supplementary thereto.

There being no objection, the Clerk read the bill, as follows:

Whereas Choctaw, Oklahoma & Gulf Railroad Co., a corporation created under and by virtue of the act approved August 24, 1894, having become insolvent, and title to all of its railways and other properties, and ownership of all of its shares of capital stock, having passed to and become vested in Chicago, Rock Island and Pacific Railroad Co., a corporation of the State of Delaware, and all of its indebtedness discharged, by virtue of and pursuant to consummation order and final decree entered by the District Court of the United States for the Northern District of Illinois, Eastern Division, on December 30, 1947: Therefore

Be it enacted, etc., That the act approved August 24, 1894, entitled "An act to authorize the purchasers of the property and franchises of the Choctaw Coal & Railway Co. to organize a corporation and to confer upon the same all the powers, privileges, and fran-

chises vested in that company" (28 Stat. L. 502), and all acts amendatory thereof and supplementary thereto, be, and the same are hereby, repealed; and all the rights, powers, immunities, privileges, and franchises, which have been heretofore granted to or conferred upon Choctaw, Oklahoma & Gulf Railroad Co. by any act or acts of Congress shall be, and the same are, terminated.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAY READJUSTMENT ACT OF 1942

The Clerk called the bill (S. 657) to amend the Pay Readjustment Act of 1942, as amended, so as to authorize crediting of service as a cadet, midshipman, or aviation cadet for pay purposes, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

TRANSPORTATION FOR CERTAIN GOVERNMENT PERSONNEL

The Clerk called the bill (S. 1525) to provide for furnishing transportation for certain Government and other personnel, and for other purposes.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That whenever the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall determine that the effective conduct of the affairs of his department requires assured and adequate transportation facilities to and from their places of employment for personnel attached to or employed by such department including, during any period of war, personnel attached to or employed by private plants engaged in the manufacture of material for such departments, he is hereby authorized in the absence of adequate private or other facilities to provide such transportation, by motor vehicle or water carrier, subject, however, to the following provisions and conditions:

1. The equipment required to provide such transportation facilities may be either purchased, leased, or chartered for operation by the Department of the Army, the Department of the Navy, or the Department of the Air Force, and when so obtained may be maintained and operated either by enlisted personnel, civil employees of the Department of the Army, the Department of the Navy, or the Department of the Air Force or by private personnel under contract with such departments. Equipment so obtained may also be leased or chartered to private or public carriers for operation under such terms and conditions as the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or such official within their respective departments as they may designate, shall determine necessary and advisable under the existing circumstances: *Provided,* That any equipment purchased, leased, or operated by authority of this act shall have a seating capacity of 12 or more passengers.

2. That in each case where transportation facilities are provided hereunder, reasonable rates of fare for the service furnished shall be established and charged under such regulations as the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall prescribe; the receipts from such fares, and the proceeds from the leasing or chartering of any equipment as provided in the foregoing paragraph, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

3. The facilities and service authorized hereunder shall be utilized only for the transportation of personnel heretofore enumerated and for the purpose heretofore stated, under such rules and regulations as may be prescribed by authority of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force: *Provided, however,* That where the equipment and facilities herein provided for are pooled under lease or charter agreements, the reciprocal use of Government-owned and private-owned equipment shall be deemed to be within the intent of this paragraph.

4. The authority herein granted the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall be exercised in each case only after a determination by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or such official within their respective departments as they may designate, as the case may be, that existing private and other facilities are not and cannot be rendered adequate by other means, that reasonable effort has been made to induce operators of private facilities to provide the necessary service, and that its exercise will result in the most efficient method of supplying transportation to the personnel concerned and a proper utilization of transportation facilities.

SEC. 2. It shall be the duty of the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, to file with the Congress, within sixty days after the end of the fiscal year a summarized report of the exercise of the authority herein granted, which report shall include (1) location, nature, and size of the activity for which transportation facilities were provided; (2) type, amount, and original cost of equipment furnished; (3) outline of lease or charter for rented or reciprocally used equipment with total costs for period of use or operation; (4) citation of authority of the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force under which exercised; and (5) for each activity for which transportation facilities were provided, the maximum number of motor vehicles or water carriers used, the total miles operated, the total revenue from fares or proceeds from the leasing or chartering of equipment, the operating and maintenance expense, depreciation, gross cost, and net cost.

SEC. 3. The act entitled "An act to provide for furnishing transportation for certain Government and other personnel necessary for the effective prosecution of the war, and for other purposes," approved December 1, 1942 (56 Stat. 1024), as amended by subsections (a) and (b) of section 1 of the act of April 9, 1946 (60 Stat. 86), is hereby repealed.

With the following committee amendment:

Page 1, line 9, after the word "war", insert "or national emergency declared by the Congress or the President."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGING CERTAIN PROPERTY WITH THE CITY OF KEARNEY, NEBR.

The Clerk called the bill (H. R. 5181) to authorize the Secretary of the Army to exchange certain property with the city of Kearney, Nebr.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

XCIV—379

Mr. KEAN. Mr. Speaker, I ask unanimous consent to substitute an identical Senate bill (S. 2077) for the House bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Army is hereby authorized to convey approximately seventeen acres of land and improvements thereon owned by the United States in Buffalo County, Nebr., lying in the south half southeast quarter section 27, township 9 north, range 15 west of the sixth principal meridian, and the Government-owned improvements located on land leased from the city of Kearney, Nebr., in said section 27 constructed by the Army for an automotive equipment repair shop, to the city of Kearney, Nebr., in exchange for approximately four hundred and forty-two and seventy-four one-hundredths acres of land in Buffalo County, Nebr., described as a tract of land situated in section 27, township 9 north, range 15 west, more particularly described as follows: Beginning at the northeast corner of section 27; thence south along the east section line two thousand eight hundred and thirty-five feet, more or less; thence in a westerly direction one thousand six hundred and seventy-five feet, more or less; thence in a southwesterly direction one thousand two hundred and eighty-five feet, more or less; thence south parallel to the east line of section 27 eight hundred and seventy-five feet, more or less; thence west and parallel to the south line of section 27 two thousand five hundred and seventy feet, more or less; thence north along the west line of section 27 four thousand four hundred and sixty feet, more or less, to the northwest corner of section 27; thence east five thousand two hundred and eighty feet, more or less, along the north line of section 27 to place of beginning, which is to be conveyed to the United States by the city of Kearney, Nebr., as a part of the Kearney Army Air Field, Nebr.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 5181) was laid on the table.

A motion to reconsider was laid on the table.

AMENDING PARAGRAPH 1007 OF THE TARIFF ACT OF 1930

The Clerk called the bill (H. R. 5608) to amend paragraph 1007 of the Tariff Act of 1930.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY of Wisconsin. Mr. Speaker, reserving the right to object, I would like to know what this bill does.

Mr. GOODWIN. Mr. Speaker, this bill is intended to correct an inequity in the present tariff on linen fire hose. It affects five manufacturers in this country, one in my own district, two in New York City, one in California, and one in New Jersey. It will enable these domestic producers to compete with imports on a more reasonable basis.

The Tariff Commission tells us that it is the usual tariff practice to impose a higher rate of duty on a finished product than on the commodity which principally goes into its manufacture. At the present time there is no such differential as to linen fire hose.

The ad valorem equivalent of the tariff on the finished product today is about 30 percent. The tariff on the principal raw material component, plied yarn is 30 percent ad valorem.

I believe it is considered good tariff practice to have a differential of from 10 percent to 15 percent ad valorem in favor of the finished product to take care of the substantially higher cost of domestic manufacture.

This bill will provide a differential of about 10 percent ad valorem. This product, linen fire hose, is used largely by conservation and forestry divisions of government, both Federal, and State, for fire-fighting. It is also used in apartment houses, hotels, hospitals, department stores, and public buildings. It is the type of unlined fire hose used extensively by transportation companies as well as the Army, Navy, and Maritime Commission.

While the industry affected by this bill is not a large one, it is important for the national security.

Mr. MURRAY of Wisconsin. The rate will be 40 percent ad valorem if this bill is passed?

Mr. GOODWIN. Forty percent ad valorem.

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FREE IMPORTATION OF EVERGREEN TREES

The Clerk called the bill (H. R. 5612) to provide for the free importation of evergreen Christmas trees.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY of Wisconsin. Mr. Speaker, I object.

FREE IMPORTATION OF SALT BRINE

The Clerk called the bill (H. R. 5641) to provide for the free importation of salt brine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1766 of the Tariff Act of 1930 is amended by inserting before the period at the end thereof a semicolon and the following: "salt brine containing not less than 15 percent nor more than 28 percent of sodium chloride."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EAST BAY MUNICIPAL UTILITY DISTRICT, ALAMEDA, CALIF.

The Clerk called the bill (H. R. 5642) to authorize the Secretary of the Navy to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to substitute an identical Senate bill, S. 2233, for the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to grant and convey to the East Bay Municipal Utility District, an agency of the State of California, without cost to the said utility district, and subject to such terms and conditions as the Secretary of the Navy may deem proper, a perpetual easement for the construction, maintenance, operation, renewal, replacement, and repair of a water-pipe line or lines within a strip of land 10 feet wide extending a distance of 739.91 feet along the eastern boundary of lands comprising a part of the United States naval air station, Alameda, Calif., contiguous to Webster Street, metes and bounds description of which is on file in the Navy Department.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 5642) was laid on the table.

A motion to reconsider was laid on the table.

PERMITTING CERTAIN RELATIVES TO RECEIVE BENEFITS OF ARMED FORCES LEAVE BONDS OF DECEASED VETERANS

The Clerk called the bill (H. R. 5758) to amend further the Armed Forces Leave Act of 1946, as amended, to permit certain payments to be made to surviving brothers and sisters, and nieces and nephews, of deceased members and former members of the armed forces.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 2 and 6 of the Armed Forces Leave Act of 1946, as amended, are hereby amended as follows:

(a) Section 2. At the end thereof add a new paragraph as follows:

"(h) The terms 'brother' and 'sister' include brothers and sisters of the half blood as well as those of the whole blood, step-brothers and stepsisters, and brothers and sisters through adoption."

(b) Section 6. In paragraph (2) of subsection (a) delete "to such holder's surviving spouse and children, if any, in equal shares; and if such holder leaves no surviving spouse or child or children, then in equal shares to such holder's surviving parents, if any", and insert in lieu thereof the following:

"(i) to such holder's surviving spouse and children, if any, in equal shares;

"(ii) if such holder leaves no surviving spouse or child or children, then in equal shares to such holder's surviving parents, if any;

"(iii) if such holder leaves no surviving spouse, child, or parent, then in equal shares to such holder's surviving brothers and sisters, if any; and

"(iv) if such holder leaves no surviving spouse, child, parent, brother, or sister, then in equal shares to the surviving child or children, if any, of such holder's deceased brothers and sisters."

(c) Section 6. In subsection (b) delete "To such member's or former member's surviving spouse and children, if any, in equal shares; and if such member or former mem-

ber leaves no surviving spouse or child or children, then in equal shares to his surviving parents, if any", and insert in lieu thereof the following:

"(i) to such member's or former member's surviving spouse and children, if any, in equal shares;

"(ii) if such member or former member leaves no surviving spouse or child or children, then in equal shares to such member's or former member's surviving parents, if any;

"(iii) if such member or former member leaves no surviving spouse, child, or parent, then in equal shares to such member's or former member's surviving brothers and sisters, if any; and

"(iv) if such member or former member leaves no surviving spouse, child, parent, brother, or sister, then in equal shares to the surviving child or children, if any, of such member's or former member's deceased brothers and sisters."

Sec. 2. A sum equal to the amount of any bond or check heretofore covered into the general fund of the Treasury, for lack of survivors pursuant to section 6, paragraph (2), of subsection (a), of the Armed Forces Leave Act, shall be payable, upon request, to any survivor entitled thereto under the provisions of said section 6, paragraph (2) of subsection (a), as amended by this act.

Sec. 3. The provisions of this act shall be effective from August 9, 1946.

With the following committee amendment:

Page 3, line 24, after the colon insert the following: "Provided, That in any case where payment under the provisions of section 6, paragraph 2 of subsection (a) has been refused to a person not a survivor, as defined by the Armed Forces Leave Act of 1946 as heretofore in force, and the bond has not been retired or the proceeds of the check been paid into the general fund, payment shall be made upon application by those persons now entitled to payment under the provisions of section 6, paragraph 2 of subsection (a) as amended by this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUE SUSPENSION OF IMPORT DUTIES ON SCRAP METAL

The Clerk called the bill (H. R. 6242) to continue until the close of June 30, 1949, the present suspension of import duties on scrap iron, scrap steel, and nonferrous metal scrap.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of March 13, 1942, entitled "An act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap," as amended (Public Law 497, 77th Cong.; 56 Stat. 171; Public Law 384, 80th Cong.), is hereby amended by striking out "June 30, 1948" and inserting in lieu thereof "June 30, 1949."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PARAGRAPH 813 OF THE TARIFF ACT OF 1930

The Clerk called the bill (H. R. 5965) to amend paragraph 813 of the Tariff Act of 1930.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 813 of schedule 8 of the Tariff Act of 1930 is amended to read as follows:

"PAR. 813. Notwithstanding any other provision of this act, the duties imposed on beverages in this schedule which are subject also to internal revenue taxes shall be imposed only on the quantities subject to such taxes."

Sec. 2. The amendment made by the first section of this act shall be effective as to such merchandise entered, or withdrawn from warehouse, for consumption on and after the thirtieth day after the date of the enactment of this act and shall apply to entries and withdrawals before that date which have not become final by operation of law.

With the following committee amendment:

Page 1, strike out all of section 2 and insert: "Sec. 2. This amendment shall be effective as to all such merchandise entered, or withdrawn from warehouse, for consumption on or after the day following the date of the enactment of this act and shall apply also to any such merchandise entered or withdrawn before that day with respect to which the liquidation of the entry or withdrawal, the exaction, or the decision as to dutiable quantity has not become final by reason of section 514, Tariff Act of 1930."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND SECTION 24 OF THE FEDERAL POWER ACT

The Clerk called the bill (S. 1305) to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservation of portions of power sites released for entry, location, or selection to the States for highway purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 24 of the Federal Power Act, as amended, is amended by inserting before the period at the end of the first proviso thereof a colon and the following new proviso: "Provided further, That before any lands applied for, or heretofore or hereafter reserved, or classified as power sites, are declared open to location, entry, or selection by the Secretary of the Interior, notice of intention to make such declaration shall be given to the Governor of the State within which such lands are located, and such State shall have 90 days from the date of such notice within which to file, under any statute or regulation applicable thereto, an application for the reservation to the State, or any political subdivision thereof, of any lands required as a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, and a copy of such application shall be filed with the Federal Power Commission; and any location, entry, or selection of such lands, or subsequent patent thereof, shall be subject to any rights granted the State pursuant to such application."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF JURISDICTION OVER PROBATIONERS

The Clerk called the bill (H. R. 2766) to amend section 2 of an act, entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, as amended (18 U. S. C. 725).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of an act, entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia," approved March 4, 1925, as amended (18 U. S. C. 725), is hereby amended to read as follows:

"Sec. 2. When directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer while on probation. The court may thereupon discharge the probationer from further supervision and may terminate the proceedings against him, or may extend the probation, as shall seem advisable.

"Whenever during the period of his probation, a probationer heretofore or hereafter placed on probation, goes from the district in which he is being supervised to another district, jurisdiction over him may be transferred, in the discretion of the court, from the court for the district from which he goes to the court for the other district, with the concurrence of the latter court. Thereupon the court for the district to which jurisdiction is transferred shall have all power with respect to the probationer that was previously possessed by the court for the district from which the transfer is made. This process under the same conditions may be repeated whenever during the period of his probation the probationer goes from the district in which he is being supervised to another district.

"At any time within the probation period the probation officer may for cause arrest the probationer wherever found, without a warrant, or the court for the district in which the probationer is being supervised may issue a warrant for his arrest. Such warrant may be executed by either the probation officer or the United States marshal of either the district in which the probationer is being supervised or of any district in which the probationer shall be found. If the probationer shall be so arrested in a district other than that in which he is being supervised, he shall be returned to the district out of which such warrant shall have been issued, unless jurisdiction over him is transferred as above provided to the district in which he is found, and in that case he shall be detained pending further proceedings in such district. As speedily as possible after arrest the probationer shall be taken before the court for the district having jurisdiction over him. At any time after the probation period, but within the maximum period of probation permitted by section 1 of this act, the court for the district in which the defendant was last being supervised, may issue a warrant and cause the defendant to be arrested and brought before the court. Thereupon the court may revoke the probation or the suspension of sentence. If there was no previous sentence, the court upon the revocation of probation may impose any sentence which might originally have been imposed. If there was a previous sentence, the court may confirm it or set it aside and impose a new sentence not longer than the previous sentence."

Mr. REEVES. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REEVES: Page 2, line 14, after the word "made", change the

period to a comma and add the following: "except that the period of probation shall not be changed without the consent of the sentencing court."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTEND MATURITY DATE OF CERTAIN BRIDGE BONDS

The Clerk called the bill (H. R. 3402) to extend the authorized maturity date of certain bridge revenue bonds to be issued in connection with the refunding of the acquisition cost of the bridge across the Missouri River at Rulo, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 5 (e) of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States," approved March 4, 1933, is amended by striking out "20 years" and inserting in lieu thereof "30 years."

With the following committee amendments:

Page 1, line 3, after the comma, insert: "as it relates to the bridge across the Missouri River at Rulo, Nebr."

Page 2, line 1, after the word "years", insert a semicolon and the following: "and the second sentence of section 5 (e) of said act is amended by striking out the language 'or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management.'"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER ARMY VESSEL "HYGIENE" TO ALASKA

The Clerk called the bill (H. R. 3883) to authorize and direct the Secretary of War to transfer to the Territory of Alaska the title to the Army vessel *Hygiene*.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to transfer to the Territory of Alaska the title of the United States to a certain Army vessel, known as the *Hygiene*, listed in the records of the War Department as Army vessel FS-35, and which the War Department has heretofore made available on a temporary basis for use by the Alaska Territorial Health Service. The transfer of said vessel shall be without charge to the Territory of Alaska.

With the following committee amendments:

Page 1, line 3, strike out "War" and insert "the Army."

Page 1, line 6 strike out "War and after the word 'Department' insert "of the Army."

Page 1, line 7, strike out "War" and after the word "Department" insert "of the Army."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize and direct the Secretary of the Army to transfer to the Territory of Alaska the title to the Army vessel *Hygiene*."

A motion to reconsider was laid on the table.

DELEGATION OF CERTAIN POWERS TO SECRETARY OF THE NAVY

The Clerk called the bill (H. R. 4032) to amend certain provision of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill relative to the delegation of authority to the Secretary of the Navy. I understand that the Armed Services Committee has been holding hearings on the Executive order that permits the retired admirals and others to have three or four assistants for life. Does this bill go to the heart of that matter, or is this another approach to it? I am hesitant about giving the Secretary of the Navy or the President some additional powers that might add three or four more assistants for those people who are retired from military service. I would like to have an explanation of the bill before I permit it to be considered.

Hearing no explanation, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (H. R. 4114) to amend the Public Health Service Act to permit certain expenditures, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 301 (d) of the Public Health Service Act, as amended (42 U. S. C. 241 (d)), is amended by changing the semicolon at the end thereof to a comma and adding: "and include in the grants for any such project grants of penicillin and other antibiotic compounds for use in such project;"

SEC. 2. (a) Paragraph (a) of section 321 of such act (42 U. S. C. 248 (a)) is amended to read as follows:

"(a) Control, manage, and operate all institutions, hospitals, and stations of the Service, including minor repairs and maintenance and provide for the care, treatment, and hospitalization of patients, including the furnishing of prosthetic and orthopedic devices, and tobacco; and from time to time, with the approval of the President, select suitable sites for and establish such additional institutions, hospitals, and stations in the States and possessions of the United States as in his judgment are necessary to enable the Service to discharge its functions and duties;"

(b) Subsection (d) of such section (42 U. S. C. 248 (d)) is amended by striking out

the period at the end of such subsection and inserting the following in lieu thereof: ", and for the payment of expenses of preparing and transporting the remains of, or the payment of reasonable burial expenses for, any patient dying in a hospital or station."

SEC. 3. Subsection (e) of section 322 of such act (42 U. S. C. 249 (e)) is amended by inserting after the phrase "Persons entitled to care and treatment under subsection (a) of this section" the words "and persons whose care and treatment is authorized by subsection (c)."

SEC. 4. Section 331 of such act (42 U. S. C. 255) is amended by adding at the end thereof the following new sentence: "Such funds shall also be available, subject to regulations, for transportation of recovered indigent leper patients to their homes within the continental United States, including subsistence allowance while traveling."

SEC. 5. Subsection (b) of section 344 of such act (42 U. S. C. 260 (b)) is amended by adding at the end thereof the following new sentence: "Appropriations available for the care and treatment of addicts admitted to a hospital of the Service under this section shall be available, subject to regulations, for paying the cost of transportation to any place within the continental United States, including subsistence allowance while traveling, for any such addict who is discharged as cured."

SEC. 6. Section 504 of such act (42 U. S. C. 222) is amended by adding at the end thereof the following new sentence: "Funds available for the operation of such hospitals, institutions, and stations of the Service shall also be available for expenditure to meet court costs and other expenses incident to proceedings for the commitment, to St. Elizabeths Hospital or to any hospital, institution, or station of the Service, of any mentally incompetent person entitled to treatment by the Service."

SEC. 7. Section 509 of such act (42 U. S. C. 227) is amended to read as follows:

"SEC. 509. Appropriations for carrying out the purposes of this act shall be available for expenditure for personal services and rent at the seat of Government; books of reference, periodicals, and exhibits; printing and binding; transporting in Government-owned automotive equipment, to and from school, children of personnel who have quarters for themselves and their families at stations determined by the Surgeon General to be isolated stations; expenses incurred in pursuing, identifying, and returning prisoners who escape from any hospital, institution, or station of the Service or from the custody of any officer or employee of the Service, including rewards for the capture of such prisoners; furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the Surgeon General for use by employees in the performance of their official duties; reimbursing officers and employees, subject to regulations of the Administrator, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such officers or employees are engaged in the performance of their official duties; and maintenance of buildings of the National Institute of Health."

With the following committee amendments:

Page 2, strike out lines 11 to 16, inclusive, and insert in lieu thereof the following:

"(b) Such section is further amended by striking out the word 'and' at the end of paragraph (c), by striking out the period at the end of paragraph (d) and inserting in lieu thereof: ', and,' and by inserting after paragraph (d) the following new paragraph:

"(e) Provide, to the extent the Surgeon General determines that other public or private funds are not available therefor, for the payment of expenses of repairing and

transporting the remains of, or the payment of reasonable burial expenses for, any patient dying in a hospital or station."

Page 3, line 21, strike out "such" and insert "indigent."

Page 4, line 3, after "expenses", insert "of the Service."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF GENERAL BRIDGE ACT OF 1946

The Clerk called the bill (H. R. 4190) to amend the General Bridge Act of 1946.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1651) be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the General Bridge Act of 1946 be, and the same is hereby, amended by striking out section 506 thereof and by inserting in lieu of said section a new section to be designated as section 506 and to read as follows:

"SEC. 506. If tolls are charged for the use of an interstate bridge constructed or taken over or acquired by a State or States or by any municipality or other political subdivision or public agency thereof, under the provisions of this title, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 30 years from the date of completing or acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4190) was laid on the table.

ALLOTMENTS TO STATES FOR CONSTRUCTION OF HOSPITALS

The Clerk called the bill (H. R. 4816) to amend section 624 of the Public Health Service Act so as to provide a minimum allotment of \$250,000 to each State for the construction of hospitals.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

DISPOSAL OF SURPLUS SAND AT FORT STORY, VA.

The Clerk called the bill (H. R. 5283) to provide for the disposal of surplus sand at Fort Story, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any other provision of law, the Secretary of the Army is hereby authorized and empowered to dispose of surplus sand on Government-owned lands at Fort Story, Va., by sale, upon such terms and conditions as are deemed advisable by him.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEFENSE HOMES CORPORATION

The Clerk called the bill (H. R. 5509) to authorize Defense Homes Corporation to convey to Howard University certain lands in the District of Columbia, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Reserving the right to object, Mr. Speaker, may I ask the committee having charge of the bill with regard to the progress they are making on a bill to take care of the school and buildings for the Booker T. Washington group. I understand this bill was substituted for one to transfer this property to the Booker T. Washington Memorial. Is any work being done now to take care of that organization?

Mr. DONDERO. I will yield to the gentleman from Ohio [Mr. MCGREGOR] to speak for the committee on that matter.

Mr. MCGREGOR. As the gentleman knows, two bills were introduced, one by the gentleman from Nebraska [Mr. MILLER] to transfer Carver and Slowe Halls to the Booker T. Washington Birthplace Memorial, and one by the gentleman from Massachusetts [Mr. MCCORMACK] to transfer the ownership of the property to Howard University. These two buildings were constructed a number of years ago for one specific purpose, to provide housing for the colored workers of the District of Columbia.

We went into this matter very carefully because we felt we wanted to do everything we possibly could for the Booker T. Washington Memorial, as we recognized the splendid work they are doing, but we also recognized that Howard University is, after all, what might be considered a Federal institution, and we are providing money for its upkeep. After careful examination we felt that the Booker T. Washington Birthplace Memorial would find it practically impossible to recondition Slowe and Carver Halls for their particular use. We have met with representatives of the District government. We thought we had it ironed out, as the gentleman from Nebraska knows. However, since that time we have found that the parking units are going right through that area. We now have another meeting scheduled with them, which we hope will be within the next 10 days or 2 weeks, so that we will have facilities to give some aid to the Booker T. Washington Memorial.

The reason we are seeking to pass this bill today is that the Defense Homes Corporation ceases to exist on June 30, which means that time is of the essence, and it is necessary that some kind of legislation be passed so that the Defense Homes Corporation will know what to do with Carver and Slowe Halls. I feel we are making progress on the gentleman's request to give some aid to the Booker T. Washington Memorial, because we all recognize the splendid work they are doing.

Mr. MILLER of Nebraska. As the gentleman knows, the Booker T. Washington group is doing a splendid work and taking care of some 95 percent of the colored people who are not able to go to universities. I realize there are going to be some problems that will have to be worked out between the Defense Homes Corporation and the Commissioners of the city of Washington. I would think it would be a fine thing if this bill could be passed over without prejudice, in order to bring those two bills along together, because you may have to compromise some differences between the District Commissioners and the Defense Homes Corporation. Therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MOUNT VERNON MEMORIAL HIGHWAY

The Clerk called the bill (H. R. 5842) to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes.

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent that this bill be re-committed to the Committee on Public Works for further consideration and hearings.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

REENTRY PERMITS TO CERTAIN ALIENS

The Clerk called the bill (H. R. 5922) relating to the issuance of reentry permits to certain aliens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (b) of section 10 of the act of May 26, 1924 (43 Stat. 158; U. S. C., title 8, sec. 210 (b)), is amended to read as follows:

"(b) If the Commissioner of Immigration and Naturalization finds (1) that the alien has been legally admitted to the United States, or (2) that the alien has been legally admitted to the United States between July 1, 1924, and July 5, 1932, both dates inclusive, under clause (6) of section 3, and has continually resided in the United States since such entry, and that the application is made in good faith, he shall, with the approval of the Attorney General, issue the permit, specifying therein the length of time, not exceeding 1 year, during which it shall be valid. The permit shall be in such form as shall be by regulations prescribed and shall have permanently attached thereto the photograph of the alien to whom issued, together with such other matter as may be deemed necessary for the complete identification of the alien."

With the following committee amendment:

Strike out all after the enacting clause and substitute therefor the following:

"That section 10 of the Immigration Act of May 26, 1924 (43 Stat. 158-159; 8 U. S. C. 210 (a)-210 (f)), is hereby amended by adding a new subsection, to be known as subsection (g), and to read as follows:

"(g) An alien lawfully admitted to the United States, pursuant to clause 6, section 3 of this act, between July 1, 1924, and July 5, 1932, both dates inclusive, who since entry has maintained the status required of him at the time of his admission and who desires to visit abroad and return to the United States to resume the status existing at time of his departure for such visit, may apply to the Commissioner of Immigration and Naturalization for a Treaty Merchants Return Permit which may be issued by the Commissioner, with the approval of the Attorney General, if he finds that the applicant is entitled thereto. Such a permit shall, in the possession of the persons to whom issued, be accepted in lieu of any visa otherwise required from nonimmigrants under this act or section 30 of the Alien Registration Act of 1940 (54 Stat. 673; 8 U. S. C. 451). Each permit shall be valid for a period therein designated not exceeding 1 year, but may be extended for good cause shown to the satisfaction of the Commissioner of Immigration and Naturalization for a period or periods not exceeding 6 months each. For the issuance of any such permit or any extension thereof there shall be paid to the Commissioner of Immigration and Naturalization a fee of \$3 which shall be covered into the Treasury as miscellaneous receipts. The necessary forms and other requirements to effect the purposes of this subsection shall be prescribed by regulations of the Commissioner of Immigration and Naturalization, with the approval of the Attorney General. Subsection (e) shall be applicable to this subsection."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING PROVISIONS OF TITLE VI OF THE PUBLIC HEALTH SERVICE ACT TO THE VIRGIN ISLANDS

The Clerk called the bill (H. R. 5889) to extend the provisions of title VI of the Public Health Service Act to the Virgin Islands.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

NATIONAL ARCHIVES

The Clerk called the bill (H. R. 6293) to amend the act of June 19, 1934, providing for the establishment of the National Archives, so as to provide that certain fees collected by the Archivist shall be available for disbursement in the interest of the National Archives.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PHILLIPS of California. Mr. Speaker, reserving the right to object, this bill covers a matter in which the Committee on Appropriations has some concern. Until the Committee on Appropriations can investigate, I ask unani-

mous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDING TITLE VI OF THE PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (H. R. 6339) to amend the provisions of title VI of the Public Health Service Act relating to standards of maintenance and operation for hospitals receiving aid under that title.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (d) of section 623 of the Public Health Service Act, as amended, is amended to read:

"(d) If any State, prior to July 1, 1948, has not enacted legislation providing that compliance with minimum standards of maintenance and operation shall be required prior to that date (or, at the option of the State, required within such time after enactment of the legislation as the Surgeon General finds reasonable) in the case of hospitals which shall have received Federal aid under this title, such State shall not be entitled to any further allotments under section 624 until such time as such State has enacted such legislation. Upon enactment of such legislation after July 1, 1948, the prohibition in this subsection against further allotments to such State under this part shall no longer be effective and such State shall, subject to the other requirements of this part, be entitled to allotments under section 624 for the fiscal year in which such legislation is enacted and for the preceding fiscal year."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. ELIZABETHS HOSPITAL

The Clerk called the bill (H. R. 6289) to provide for the voluntary admission and treatment of mental patients at St. Elizabeths Hospital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Superintendent of St. Elizabeths Hospital may receive therein as a boarder and patient any adult person who appears to the Superintendent to be in need of mental care and treatment in a mental hospital, and who makes written application therefor and who is determined by the Superintendent to be mentally competent to make such application; and any person, under the age of 21 years, who appears to the Superintendent to be in need of mental care and treatment in a mental hospital, and whose parent, legal guardian, or other legal representative makes written application on behalf of such minor: *Provided*, That no such person shall be received as a boarder and patient in St. Elizabeths Hospital under authority of this act unless the certification provided for in subsection (b) of this section shall have been made with respect to him: *Provided further*, That no person shall be permitted to remain in such hospital as boarder and patient after the need for his treatment at a mental hospital has ceased: *And provided further*, That no person shall be permitted to remain in such hospital as a boarder and patient after the Superintendent of St. Elizabeths Hospital or his authorized representative has been notified that the certification provided for in subsection (b) has been revoked.

(b) Upon request therefor by the Superintendent of St. Elizabeths Hospital, the

Board of Public Welfare, if it finds that any person with respect to whom the application described in subsection (a) has been made was a resident of and domiciled within the District of Columbia for 1 year next preceding the time of such application, shall certify to the Superintendent that it will reimburse St. Elizabeths Hospital the cost of caring for such person as provided in section 3 of this act; except that if the Board finds that such person, or any other person legally responsible for his care, is able to pay all or any part of the cost of such care, the Board shall not be required to make a certification unless it has, pursuant to section 3, made an agreement satisfactory to it for payment to the District of Columbia of the cost of such care or such part of such cost.

SEC. 2. Any person received at St. Elizabeths Hospital for mental care and treatment under section 1 of this act shall not be detained there more than 3 days after having given written notice to the Superintendent thereof requesting his release, or, in the case of any such person who is under the age of 21 years, more than 3 days after he or his parent, legal guardian, or other legal representative gives such notice: *Provided*, That (a) if within such 3-day period there shall be filed in the District Court of the United States for the District of Columbia a petition with respect to such person, as provided by the act entitled "An Act to provide for insanity proceedings in the District of Columbia," approved August 9, 1939, or (b) if an authorized representative of the Board of Public Welfare, upon receipt of a notice signed by the Superintendent of St. Elizabeths Hospital or his authorized representative stating that in his opinion said person is of unsound mind and should not be allowed to remain at liberty or go unrestrained, shall within such 3-day period file a verified petition for a writ de lunatico inquirendo, or for an order of commitment, accompanied by the aforesaid notice, in the said District Court, alleging upon information and belief that such person is of unsound mind and should not be allowed to remain at liberty or go unrestrained, such person shall be detained by the Superintendent of St. Elizabeths Hospital until a final judgment is entered by the court upon any such petition and any petition filed in accordance with clause (b) of this proviso, accompanied by the aforesaid notice, shall forthwith be referred by the court to the Commission on Mental Health, which said petition and notice shall be sufficient to initiate proceedings before said Commission. Pending the hearing upon the petition, such person need not be sent to Gallinger Hospital for observation and treatment, but shall be detained in St. Elizabeths Hospital for observation and treatment.

SEC. 3. The cost of board, medical care, and treatment furnished under this act shall be a charge upon the District of Columbia and shall be paid by the District of Columbia to St. Elizabeths Hospital. The District of Columbia is authorized to make such agreement as it deems necessary with any patient seeking board, medical care, and treatment under this act, or any other person or persons legally responsible therefor, for payment to the District of Columbia of the cost of such board, medical care, and treatment, or for the payment of a part of such cost; and is further authorized to take appropriate steps by legal action or otherwise to enforce such agreement or, in the absence of an agreement, to recover such cost of board, medical care, and treatment, or any part thereof, from the patient or from any person or persons legally liable therefor. The District of Columbia shall not be charged with the cost of board, medical care, and treatment furnished for any boarder and patient with respect to whom the certification required under section 1 of this act shall have been revoked by the Board of Public Welfare, and the said Board is authorized to order revocation of

any such certification: (a) When any person fails to make any payment under any agreement entered into under this act for the cost of board, medical care, and treatment; or (b) when, after a boarder and patient has been admitted to such hospital under a certification, without any agreement having been entered into for his care and treatment, the said Board determines, upon evidence satisfactory to it, that such boarder and patient is able, or other persons legally liable for his care are financially able, to bear all or part of such cost; or (c) when such certification has been made erroneously: *Provided*, That revocation of such certification shall not take effect until a copy of the order of revocation shall have been served upon the Superintendent of St. Elizabeths Hospital or his authorized representative.

SEC. 4. The Superintendent of St. Elizabeths Hospital, with the approval of the Federal Security Administrator, is authorized to prescribe such regulations as he shall deem necessary to carry out the provisions of this act relating to the hospital.

SEC. 5. The Commissioners of the District of Columbia are authorized to prescribe such regulations as they shall deem necessary to carry out the provisions of this act relating to the Board of Public Welfare and the District of Columbia.

SEC. 6 This act shall become effective 60 days after enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANADIAN FISHING VESSELS AT ALASKAN PORTS

The Clerk called the bill (H. R. 6110) to permit the landing of halibut by Canadian fishing vessels to Alaskan ports, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 4311 of the Revised Statutes (46 U. S. C. 251), Canadian fishing vessels engaged in the North Pacific halibut fishery only shall be permitted to land their catches of halibut and sable fish (black cod) in ports of entry in Alaska, upon compliance with applicable customs laws, during any period prior to January 1, 1950, in which the Secretary of State finds and so notifies the Secretary of the Treasury that United States fishing vessels engaged in the North Pacific halibut fishery only are granted comparable privileges in ports of British Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DONATING SURPLUS PROPERTY FOR EDUCATIONAL PURPOSES BY ARMED SERVICES

The Clerk called the bill (H. R. 5882) to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to donate excess and surplus property for educational purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army, Secretary of the Navy, and Secretary of the Air Force are hereby authorized in their discretion to donate for educational purposes in the States, Territories, and possessions without cost, except for costs of packing, transportation, and delivery, such facilities, equipment, materials, books, and other supplies as may be obsolete or no longer needed by the Army, Navy, or Air

Force and which the United States Commissioner of Education, Federal Security Agency, may consider usable for educational purposes.

SEC. 2. All property which the Secretary of the Army, Secretary of the Navy, or Secretary of the Air Force may so donate, shall be allocated on the basis of needs and utilization of the United States Commissioner of Education for transfer by the owning agency directly to schools, colleges, or universities or to State departments of education, for distribution by the State to tax-supported schools, colleges, and universities and other nonprofit schools, colleges, and universities which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code; except in any State where another agency is designated by State law for such purposes such transfer shall be made to said agency for such distribution within the State.

With the following committee amendments:

Page 1, line 10, after the word "which", insert the words "any such Secretary or."

Page 2, line 5, after the word "donate", insert a comma followed by the words "except that donated in accordance with section 3 hereof."

Page 2, line 6, strike out the word "of" before the word "the" and insert in lieu thereof the word "by."

Page 2, add the following new section to the bill:

"Sec. 3. The Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force may donate such of the property specified in section 1 hereof as they consider usable for educational purposes to those educational activities that are of special interest to the armed services, such as maritime academies or military, naval, air force, or coast guard preparatory schools."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING STANDARD TIME ACT OF MARCH 19, 1918

The Clerk called the bill (H. R. 6318) to amend Section 3 of the Standard Time Act of March 19, 1918, as amended, relating to the placing of a certain portion of the State of Idaho in the third time zone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to save daylight and to provide standard time for the United States", approved March 19, 1918, as amended (U. S. C., 1940 ed., title 15, sec. 264), which provides for placing a certain portion of the State of Idaho in the third time zone is hereby amended by adding the following: "*Provided*, That the Union Pacific Railroad Co. may use Pocatello as the point at which it changes from mountain time to Pacific time and vice versa, and may conduct all its operations on its main and branch lines west of Pocatello on Pacific time."

SEC. 2. This act shall take effect at 2 o'clock antemeridian of the second Monday following the date of its enactment.

With the following committee amendment:

Page 1, line 8, strike out "adding" and insert "striking out the period at the end thereof and inserting a colon and."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STUDY OF CLAMS

The Clerk called the bill (S. 1979) authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Fish and Wildlife Service of the Department of the Interior is hereby authorized and directed to undertake, in cooperation with appropriate State and interstate agencies in accordance with the provisions of the act of August 14, 1946 (60 Stat. 1080), comprehensive studies of the softshell clam, *Mya arenaria*, and the hard-shell clam, *Venus mercenaria*, with particular respect to the biology, propagation, and methods of cultivation of such clams. Such Service shall from time to time recommend appropriate measures for (1) arresting depletion in existing productive beds; (2) restoring to production beds formerly productive but now barren or unusable; (3) developing new areas which may be found suitable; (4) improving methods and techniques of digging, transplanting, and handling; and (5) otherwise increasing production and improving the quality of such clams for the benefit of both producers and consumers.

Sec. 2. There is hereby authorized to be appropriated, for the 5-year period beginning July 1, 1948, out of any money in the Treasury not otherwise appropriated, the sum of \$250,000 to carry out the studies of the soft-shell clam and the sum of \$250,000 to carry out the studies of the hard-shell clam.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXEMPTION FROM ESTATE TAX OF NATIONAL SERVICE LIFE INSURANCE

The Clerk called the bill (H. R. 6275) to exempt from estate tax national service life insurance and United States Government life insurance in certain cases.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 811 of the Internal Revenue Code (relating to determination of gross estate) is amended by adding at the end thereof a new subsection to read as follows:

"(m) Government life insurance: In determining the value of the gross estate of a decedent dying after December 6, 1941, while in active service as a member of the military or naval forces of the United States or of any of the other United Nations, there shall not be included amounts receivable by the executor or any other beneficiary as national service life insurance or United States Government life insurance under policies upon the life of the decedent."

Sec. 2. Refunds: If the refund of any overpayment resulting from the application of the amendment made by section 1 of this act is prevented on the date of the enactment of this act, or within 1 year from such date, by the operation of any law or rule of law (other than section 3761 of the Internal Revenue Code, relating to compromises), such refund may, nevertheless, be made if claim therefor is filed within 1 year from the date of the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COURSES OF INSTRUCTION AT UNITED STATES NAVAL ACADEMY AND UNITED STATES MILITARY ACADEMY

The Clerk called the bill (S. 1723) to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first and second sentences of the act of July 14, 1941 (Public Law 168, 77th Cong., 1st sess.; 55 Stat. 589), is amended by inserting in the first sentence after the phrase "(other than the United)" the words "and Canada" and by inserting in the second sentence after the words "of such Republics" the words "and Canada" so that the first and second sentences as so amended will read as follows:

"That the Secretary of the Navy is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American Republics (other than the United States) and Canada to receive instruction at the United States Naval Academy at Annapolis, Md. Not more than three persons from any of such Republics and Canada shall receive instruction under authority of this act at the same time."

Sec. 2. The first and second sentences of section 1 of the act of June 26, 1946 (Public Law 447, 79th Cong., 2d sess.; 60 Stat. 311), is amended by inserting in the first sentence after the phrase "(other than the United States)" the words "and Canada" and by inserting in the second sentence after the words "of such republics" the words "and Canada" so that the first and second sentences as so amended will read as follows:

"That the Secretary of War is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American Republics (other than the United States) and Canada to receive instruction at the United States Military Academy at West Point, N. Y. Not more than three persons from any one of such republics and Canada shall receive instruction under authority of this act at the same time."

With the following committee amendment:

On page 2, line 20, strike out "War" and insert "the Army."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The Clerk called the bill (S. 1571) to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the eighth paragraph following the caption "Pay, miscellaneous" in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes," approved March 3, 1915 (38 Stat. 930; U. S. C., title 49, sec. 241), as amended, is hereby amended to read as follows:

"NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS"

"(a) There is hereby established a National Advisory Committee for Aeronautics (hereinafter referred to as the 'Committee') to be composed of not more than 17 members appointed by the President. Members shall serve as such without compensation, and shall include two representatives of the Department of the Air Force; two representatives of the Department of the Navy, from the office in charge of naval aeronautics; two representatives of the Civil Aeronautics Authority; one representative of the Smithsonian Institution; one representative of the United States Weather Bureau; one representative of the National Bureau of Standards; the chairman of the Research and Development Board of the National Military Establishment; and not more than seven other members selected from persons acquainted with the needs of aeronautical science, either civil or military, or skilled in aeronautical engineering or its allied sciences. Unless otherwise provided by law, each member not representing a Government department or agency shall be appointed for a term of 5 years from the date of the expiration of the term of the member whom he succeeds, except that any member appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed for the unexpired term of the member whom he succeeds.

"(b) Under such rules and regulations as shall be formulated by the committee, with the approval of the President for the conduct of its work, it shall be the duty of the committee (1) to supervise and direct the scientific study of the problems of flight with a view to their practical solution, (2) to determine the problems which should be experimentally attacked, and to discuss their solution and their application to practical questions, and (3) to direct and conduct research and experiment in aeronautics in the Langley Aeronautical Laboratory, the Ames Aeronautical Laboratory, the Flight Propulsion Research Laboratory, and in such other laboratory or laboratories as may, in whole or in part, be placed under the direction of the committee.

"(c) An annual report to the Congress shall be submitted by the committee through the President, including an itemized statement of expenditures."

SEC. 2. Each member of the National Advisory Committee for Aeronautics not representing a Government department or agency who may be appointed initially to fill any vacancy created by the increase in the membership of the committee authorized by the amendment made by the first section of this act shall serve under such appointment for a term expiring December 1, 1950.

SEC. 3. The following parts of acts are hereby repealed:

(a) That portion of the ninth paragraph following the caption "Pay, miscellaneous," in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes," approved March 3, 1915 (38 Stat. 930; U. S. C., title 49, sec. 243), which reads as follows: "Provided, That an annual report to the Congress shall be submitted through the President, including an itemized statement of expenditures."

(b) That portion of the paragraph following the caption "National Advisory Committee for Aeronautics," in the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918 (40 Stat. 650; U. S. C., title 49, sec. 242), which reads as follows: "Provided, That the Secretary of War is authorized and directed to furnish office space to the National Advisory

Committee for Aeronautics in governmental buildings occupied by the Signal Corps."

(c) That portion of the first paragraph following the caption "National Advisory Committee for Aeronautics," in the act entitled "An act making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes," approved April 22, 1926 (44 Stat. 314; U. S. C., title 49, sec. 244), which reads as follows: "hereafter to be known as the Langley Memorial Aeronautical Laboratory."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the bills eligible for call on the Consent Calendar.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 540 (H. R. 5886), to amend section 332 (a) of the Nationality Act of 1940.

The gentleman from New York [Mr. MARCANTONIO] objected. He now advises me he has studied the bill further and has no objection to the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN]?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 332 (a) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1154; 8 U. S. C. 732), is hereby amended to read as follows:

"Sec. 332. (a) An applicant for naturalization shall, not less than two nor more than 7 years after such declaration of intention has been made, make and file in the office of the clerk of a naturalization court, in duplicate, a sworn petition in writing, signed by the applicant in the applicant's own handwriting if physically able to write, and duly verified by witnesses, which petition shall contain substantially the following averments by such applicant."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING CERTAIN PROVISIONS OF LAW RELATING TO NAVAL SERVICE

Mr. ELSTON. Mr. Speaker, I ask unanimous consent that the House return to Calendar No. 611, H. R. 4032, to amend certain provisions of law relating to the naval service so as to authorize the delegation to the Secretary of the Navy of certain discretionary powers vested in the President of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. ELSTON]?

Mr. ELSTON. Mr. Speaker, the gentleman from Nebraska [Mr. MILLER] asked that this bill go over without prejudice. I understand he is now satisfied.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, when I objected a few moments ago, I asked for

an explanation of the bill, but it was not forthcoming. Since then there has been an explanation of the bill. The question that I had raised relative to retired admirals and generals having personnel assigned to them I understand is being worked out in the Armed Services Committee. I will await with a great deal of interest their report and what they have been able to accomplish.

This bill does not go to that provision of the Executive which assigns military personnel to retired generals or admirals.

I ask that my original objection be removed.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following acts or parts of acts are hereby amended by striking out the word "President," wherever it appears, and substituting in lieu thereof the words "Secretary of the Navy":

(a) Section 1443, Revised Statutes (34 U. S. C. 381);

(b) Section 1453, Revised Statutes (34 U. S. C. 417);

(c) Section 1454, Revised Statutes (34 U. S. C. 418);

(d) The last sentence of the second proviso of the second paragraph under the heading "Pay of the Navy" of the act of May 13, 1908, as it appears on page 128, volume 35, of the Statutes at Large (34 U. S. C. 383).

SEC. 2. Section 2 of the act of March 4, 1925 (43 Stat. 1270; 34 U. S. C. 1017), is hereby amended by changing the final period to a colon and adding the following: "Provided further, That all authority hereby vested in the President shall hereafter be exercised by the Secretary of the Navy with respect to commissioned officers, warrant officers, and enlisted personnel of the Navy and Marine Corps."

SEC. 3. Subsection (a) of section 8 of the act of June 23, 1938 (52 Stat. 946), as amended by the act of October 14, 1940 (54 Stat. 1174; 34 U. S. C. 294 (a)), is hereby further amended by striking out the following: "as directed by the President."

With the following committee amendment:

On page 2, line 13, strike out lines 13, 14, 15, 16, and 17.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF THE RENTALS AND ROYALTIES FROM LEASES ISSUED OR RENEWED

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to return to Calendar No. 555, providing for the consideration of S. 1050 to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and disposition of potassium," approved October 2, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, is amended by adding at the end thereof the following new sentence:

"All money received from royalties and rentals from any lease issued or renewed under the provisions of the act entitled 'An act to authorize exploration for and disposition of potassium,' approved October 2, 1917, shall be paid into, reserved, and appropriated as follows: 52½ percent to the Reclamation Fund, 10 percent to the Treasury of the United States as miscellaneous receipts, and 37½ percent shall be paid by the Secretary of the Treasury, after the expiration of each fiscal year, to the State within the boundaries of which the leased lands or deposits are or were located, such money to be used by such State or subdivision thereof for the construction and maintenance of public roads or for the support of schools or other public educational institutions, as the legislature of the State may direct."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PHILLIPS of California asked and was granted permission to extend his remarks in the Appendix of the Record and to include an editorial on the Colorado River.

Mr. McDONOUGH asked and was granted permission to extend his remarks in the Record in two instances and to include a statement in each one and a resolution in one instance.

NEW STATE OF ISRAEL

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I wish to take this opportunity to publicly thank the President of the United States, Harry S. Truman, for his decisive and immediate action in recognition of the new State of Israel.

It marks an abrupt reversal of previous policy, but it was a logical and necessary answer to the circumstances at the dramatic moment it was made. Thus, in the end and after many fumbings and back-steppings, it marked the middle chapter of the story, our Government has returned to the same premises which motivated its strong support of the resolution for partition which was approved by the General Assembly of the United Nations last November 29. Partition is now a reality.

My sincere hopes are now for the adoption of House Joint Resolution No. 362, which I introduced on March 31, 1948, to provide for the exportation of arms, munitions, and implements of war from the United States to Palestine. Certainly they are entitled to the wherewithal with which to defend themselves. The die is cast; there is no turning back now. We must recognize the present realities and meet them as they arise.

EXTENSION OF REMARKS

Mr. HOLIFIELD asked and was granted permission to extend his remarks in the RECORD and attach thereto a list of veteran's bills passed by the Eightieth Congress.

Mr. SADOWSKI asked and was granted permission to extend his remarks in the RECORD and include a statement by the mayor of Detroit on the housing situation.

Mr. JOHNSON of California and Mr. DINGELL asked and were given permission to extend their remarks in the Appendix of the RECORD.

Mr. TRIMBLE asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. HARRIS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial entitled "Would Make Segregation Constitutional."

Mr. CHADWICK asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address delivered by the gentleman from Pennsylvania [Mr. McCONNELL] at exercises held yesterday at the University of Pennsylvania.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the calendar.

GEORGE HAMPTON

The Clerk called the bill (H. R. 3984) for the relief of George Hampton.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SYLVIA M. MISETICH

The Clerk called the bill (H. R. 744) for the relief of Sylvia M. Misetich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sylvia M. Misetich, of Portland, Oreg., the sum of \$7,500, in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital, medical, and other expenses incurred by her, as a result of infection from a vaccination for smallpox administered to her pursuant to orders of her supervisor at the Portland subport of embarkation, Portland, Oreg., on January 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$7,500" and insert in lieu thereof "\$5,000."

Mr. DOLLIVER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER to the committee amendment: Page 1, line 6, strike out "\$5,000" and insert in lieu thereof "\$4,000."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM NALLY

The Clerk called the bill (H. R. 4566) for the relief of William Nally.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to pay to William Nally, New York City, the proceeds of National Service Life Insurance Policy No. 10,171,649 issued to Ferdinand Ley, late private, Company A, Three Hundred and Nineteenth Medical Detachment, United States Army, who was killed in action in Luxemburg, on February 21, 1945. Although the said William Nally was designated by the insured as beneficiary of such policy, his claim for payment thereunder was disallowed by the Veterans' Administration on the ground that he did not stand in loco parentis to the insured within the meaning of the National Service Life Insurance Act of 1940, as amended, because such relationship did not have its inception during the minority of the insured.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LANDS IN SHOSHONE RECLAMATION PROJECT, WYOMING

The Clerk called the bill (S. 1771) authorizing the Secretary of the Interior to convey certain lands in Powell Townsite, Wyo., Shoshone reclamation project, Wyoming, to the James S. McDonald Post 5054, Veterans of Foreign Wars, Powell, Wyo.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. POTTS. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

JAMES P. LOVE

The Clerk called the bill (H. R. 5151) authorizing the Secretary of the Interior to issue to James P. Love a patent to certain lands in the State of Mississippi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue to James P. Love, a patent in fee to the following-described land, to wit: Lot 10, section 26, township 16 north, range 1 west, Choctaw meridian, Holmes County, Miss., containing 72½ acres more or less; *Provided, however*, That the issuance of such patent shall operate only as a conveyance of all the right, title, and interest of

the United States in and to the land described herein, but shall not affect any valid adverse rights of third parties should any such rights exist.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERS OF CERTAIN PUBLIC LANDS IN COUNTY OF KAUAI, T. H., FOR SCHOOL PURPOSES

The Clerk called the bill (H. R. 6252) to authorize the issuance of a land patent to certain public lands, situated in the county of Kauai, T. H., for school purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Public Lands of the Territory of Hawaii with the consent of the Governor of said Territory of Hawaii be authorized to issue a land patent to the Roman Catholic bishop of Honolulu, a corporation sole, covering the following described lands: Lots 118, 119, 120, and 122, Kekaha House lots, Waimea, county of Kauai, T. H.; said lands to be used for school purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRY A. LIGHT

The Clerk called the bill (H. R. 4587) for the relief of Mrs. Harry A. Light (formerly Mrs. Elsie Purvey).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Mrs. Harry A. Light (formerly Mrs. Elsie Purvey), the wife of a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the act approved December 28, 1945 (Public Law 271, 79th Cong.), if she is found otherwise admissible under the provisions of the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOWE WAY YUEN AND DANG CHEE

The Clerk called the bill (S. 1365) for the relief of Lowe Way Yuen and Dang Chee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Lowe Way Yuen and Dang Chee (also known as Ellen Ding), who were admitted into the United States on October 12, 1939, for a temporary stay and who are the mother and sister, respectively, of Hon. W. Dang, a citizen and honorably discharged veteran of the armed forces of the United States, shall be deemed to have been lawfully admitted into the United States for permanent residence as of October 12, 1939.

Sec. 2. Upon the enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct two numbers from the nonpreference category of the first available Chinese immigration quota.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUY CHENG

The Clerk called the bill (S. 1483) for the relief of Guy Cheng.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, Guy Cheng, of Charlotte, Vt., shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of his last entry into the United States, upon payment of the required visa fee and head tax. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available immigration quota for nationals of China.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUDRUN M. ERICSSON

The Clerk called the bill (S. 1729) for the relief of Gudrun M. Ericsson.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

EASEMENT OVER CERTAIN LANDS ADJACENT TO THE FORT MYERS AIRFIELD (FLA.)

The Clerk called the bill (H. R. 5836) to authorize the Secretary of the Army or his duly authorized representative to quitclaim a perpetual easement over certain lands adjacent to the Fort Myers Army Airfield, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, That the Secretary of the Army, or his duly authorized representative, be, and is hereby authorized and empowered under such terms as he may deem advisable, to quitclaim to the Inter-County Telephone & Telegraph Co., its successors and assigns, all of the right, title, and interest of the United States of America in and to a certain perpetual right-of-way and easement acquired by the United States in four and forty-two one-hundredths acres of land, more or less, for the location, construction, operation, maintenance, and patrol of a telephone line and telephone facilities, and for the construction and maintenance of a road necessary for the patrol of the telephone line and facilities, in, over, and across lands in the vicinity of the Fort Myers Army Airfield, Florida.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PATRICIA SCHWARTZ AND BESSIE SCHWARTZ

The Clerk called the bill (H. R. 5716) to record the lawful admission to the United States for permanent residence of Patricia Schwartz and Bessie Schwartz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any exclusion proceedings and to cancel the outstanding warrants of deportation

issued in the cases of Patricia Schwartz and Bessie Schwartz. From and after the date of enactment of this act, the aforementioned aliens shall not again be subject to exclusion by reason of the same facts upon which such exclusion proceedings were commenced or such orders of deportation have issued.

Sec. 2. In the administration of the immigration laws, the aforesaid aliens shall be considered as having been lawfully admitted for permanent residence as of May 9, 1947, the date of their arrival into the United States, upon the payment of the required head taxes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEX BAIL

The Clerk called the bill (H. R. 6220) for the relief of Alex Bail.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to cancel forthwith any outstanding warrant of arrest, order of deportation, warrant of deportation, and bond in the case of Alex Bail, and is directed not to issue any further warrants or orders in the case of the alien based upon such alien's membership in the Communist Party prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIONISIO R. TREVINO

The Clerk called the bill (S. 188) for the relief of Dionisio R. Trevino.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is directed to cancel forthwith any warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of Dionisio R. Trevino, and is directed not to issue any such further warrants or orders in the case of such alien insofar as any such further warrants or orders are based upon the same grounds as the warrants or orders required by this act to be canceled. For the purposes of the immigration and naturalization laws, the said Dionisio R. Trevino, who arrived at Brooklyn, N. Y., on or about April 25, 1934, as a seaman on the steamship *Mave Mar*, which he deserted on or about April 25, 1934, shall, upon the payment of the required head tax, be held and considered to have been lawfully admitted to the United States for permanent residence at such place and on such date. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Spanish quota of the first year that such quota becomes available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCISCO GAMBOA GIOCOCHEA

The Clerk called the bill (S. 511) for the relief of Francisco Gamboa Giocoechea.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to cancel the outstanding warrant and order of deportation, and bond, if any, issued pursuant to sections 13 and 14, of the Immigration Act of May 24, 1924 (U. S. C., title 8, secs. 213 and 214, in the case of Francisco Gamboa Gio-

coechea of Cascade, Idaho, any provision of existing law to the contrary notwithstanding. From and after the date of enactment of this act, the said Francisco Gamboa Giocoechea shall not again be subject to deportation by reason of the same facts upon which such warrant and order have issued.

Sec. 2. In the administration of the immigration and naturalization laws, Francisco Gamboa Giocoechea, of Cascade, Idaho, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 6, 1927, upon the payment by him of the visa fee of \$10 and the head tax of \$8. Upon the enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available Spanish immigration quota.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERFECTO M. BIASON AND JOAN BIASON

The Clerk called the bill (S. 1451) for the relief of Perfecto M. Biason and Joan Biason.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, Perfecto M. Biason and his daughter, Joan Biason, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of their last entry into the United States, upon payment of the required visa fee and head tax. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the Philippine quota of the first year that openings are available in such quota.

Sec. 2. Notwithstanding any other provision of law, the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding warrant of arrest, order of deportation, and bond, which may have been issued, in the case of Perfecto M. Biason and Joan Biason.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEO HAMERMANN

The Clerk called the bill (S. 1637) for the relief of Leo Hamermann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the Immigration and Naturalization laws the Attorney General is hereby authorized and directed to record the lawful admission for permanent residence of Leo Hamermann. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OMNIBUS PRIVATE CLAIMS BILL

The SPEAKER. The Clerk will call the first omnibus bill on the Private Calendar.

FIRST OMNIBUS CLAIMS BILL, EIGHTIETH CONGRESS

The Clerk called the bill (H. R. 5055) for the relief of sundry claimants, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc.,

Title I—(H. R. 354. For the relief of Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn.) By Mr. DAVIS of Tennessee

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Dixie Margarine Co., a corporation organized and existing under the laws of the State of Tennessee, the sum of \$87,412, in full satisfaction of its claim against the United States for refund of capital illegally exacted by the Commissioner of Internal Revenue, under the guise of taxes and licenses, for the period from March 1923 to November 28, 1925, the statutory period for refund of said illegally collected moneys having expired prior to the date of a decision of the United States Supreme Court that said moneys had been illegally collected as taxes on the product manufactured, and it also having been held by both the United States Court of Claims and the Sixth Circuit Court of Appeals that relief must be from the Congress and not from the courts:

With the following committee amendment:

Page 2, line 10, after the word "courts", insert the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. POTTS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POTTS. Mr. Speaker, is this the proper time in discussion of the bill when a motion should be offered to strike out this title?

The SPEAKER. The gentleman is correct. First we will dispose of the committee amendment.

The question is on the committee amendment.

The committee amendment was agreed to.

Mr. POTTS. Mr. Speaker, I offer an amendment to strike out the title.

The Clerk read as follows:

Mr. POTTS moves to strike out title I of the bill.

Mr. POTTS. Mr. Speaker, this is a simple case, but I think it is important because what we do on this particular title is going to set a precedent for many of the other titles that we are going to consider today, and which will involve many hundreds of thousands of dollars, so that I think we ought to give this particular title a little consideration.

In and of itself, after the committee amendment is adopted, this title will allot some seventy-odd thousand dollars to a taxpayer. The facts of the case are not difficult and they are not hard to understand. This particular title provides for the repayment to a taxpayer of the sum of \$70,000 and, as I tried to point out, the same principle is involved in a number of the other titles in this bill so that

actually many hundreds of thousands of dollars are going to be disposed of on what you decide here today on this one title.

The facts of the case are very simple. An oleomargarine manufacturer paid some taxes away back in 1932, and he thought that he was right in paying those taxes. After a while he got a different opinion. He brought suit in the court to collect those taxes and he lost out all the way on this proposition on the principle that the statute of limitation had run against his claim. Now, there is not a lawyer in the House who will not tell you that the statute of limitation, as it applies in the law to claims between individuals, or as to crimes, is a very laudible provision of law. The statute of limitations has for its effect the settling of claims that have been in existence for a long time. These people decided that they did not want to do anything about it, and everything was all right until it got to the point where they decided, for extraneous reasons, or any reason at all after a long period of time, that they wanted to prosecute.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. POTTS. I yield to the gentleman from Tennessee.

Mr. COOPER. I appreciate the gentleman's kindness in yielding. This case arises from the city of Memphis, not in the district which I have the honor to represent. But, my recollection is that this company was required to pay these taxes, and later the Supreme Court held that the tax was invalid and did not apply, and then the statute of limitations had run, and they were unable to recover in a suit to get their money back because the statute of limitations had run, although the court had held that they did not owe the money. It looks to me like a matter of merit.

Mr. POTTS. It is not quite as simple as that. Cases have been tried where similar taxes had been ruled invalid, but not in this particular case. This case came up after those other cases were disposed of and after the statute had run here, and the particular case was decided by the court on the statute of limitations alone.

Mr. COOPER. Mr. Speaker, if the gentleman will yield, it is my recollection and understanding that only by reason of the application of the statute of limitations were those people deprived of the money that the court said they were entitled to.

Mr. POTTS. No. The court never ruled on the merits of this case.

Mr. COOPER. And the fact that they were not able to get their money back caused this company to go broke.

Mr. POTTS. That is not quite so, because that particular point was not litigated in this case. The court merely said that the statute of limitations had run. We all know that in some cases the Government has benefited by the statute of limitations, and in other cases it has lost. It equalizes itself out, and the same applies to individuals.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. POTTS. I yield to the gentleman from Iowa.

Mr. DOLLIVER. Is it not true that in this case and in other similar cases the claimant was derelict in bringing his suit in order to recover the tax which was wrongfully paid?

Mr. POTTS. He was happy about paying the tax until he found out that somebody else decided that perhaps a refund could be obtained.

Mr. DOLLIVER. He is trying to gain from the Congress what he could not gain from the courts.

Mr. POTTS. That is exactly it.

Mr. DAVIS of Tennessee. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, the bill seeks the refund of \$87,412 which the United States Supreme Court has said in a test case the Commissioner of Internal Revenue collected arbitrarily, capriciously, and without warrant and was an exaction in the guise of a tax. The Government has disputed tax claims against the Dixie Margarine Co. in the sum of \$16,775.60. It has been agreed these should be offset, leaving a net amount sought hereby of \$70,636.40.

After the test case above referred to, the Commission voluntarily refunded to the Dixie Margarine Co. in 1932 the sum of \$241,819.64, but refused to refund the \$87,412 paid in the period of time which was more than 4 years prior to the refund.

Suit was instituted in the Court of Claims, and that court in 1935 held:

The facts show that the plaintiff has paid, beyond the statutory period for refunds, amounts it should not have paid but this court has no jurisdiction to entertain a suit for the recovery of these amounts. Any relief to which the plaintiff may be entitled must come from the Congress.

In 1939 a bill was introduced, being H. R. 7426, Seventy-sixth Congress, First Session, and S. 2917. The Committee on Claims refused to hold hearings on matters which the President had a policy of vetoing and then the war came along. Suit was filed by the Dixie Margarine Co. against the deputy collector of internal revenue in the District Court, and sought equitable relief even though the legal remedy was barred by the statute of limitations. In 1943 the Sixth Circuit Court of Appeals held that the courts were bound by the limitation and said "as pointed out in the decision of the Court of Claims, relief must be had from the Congress and not from the courts." In the intervening years bills similar to the 1939 bill were introduced in this Congress but were never brought out for debate. The bill introduced in the Seventy-ninth Congress was approved by the Committee on Claims but was never enacted into law.

Thus, it clearly appears that this company has not slept upon its rights but it has been striving in the courts and in Congress to get that which belongs to it.

The present bill when introduced was referred to the Committee on the Judiciary and by it to a subcommittee. This was done because of the reorganization of Congress abolishing the Committee on Claims but this claim is not one of those

contemplated by the reorganization since it far antedates that action by this body.

The Supreme Court of the United States, the Court of Claims, and the Sixth Circuit Court of Appeals have all held that this money should be refunded to the Dixie Margarine Co.; the courts have held that it was an illegal exaction in the guise of a tax and that the Commissioner of Internal Revenue in exacting the money was arbitrary, capricious, and oppressive. The Court of Claims and the court of appeals have both held that they would order a return of the money but for the fact that the Congress of the United States raised a bar of 4 years beyond which the taxpayer cannot go, and both of said courts have invited the Dixie Margarine Co. to come to Congress for relief. The courts are powerless to grant relief. Congress raised the bar of the 4-year limitation on the right to recover this money.

In this connection it should be noted that the 4-year bar applies to taxes and the courts have held this claim to be in the nature of a claim for taxes. There is a very definite distinction. The Supreme Court has held that the money collected from the Dixie Margarine Co. was not taxes but was "an exaction in the guise of a tax." Congress raised the bar to the remedy which now prevents the enforcement of the right belonging to the Dixie Margarine Co. as it has been construed by the courts, and Congress has the legal power to remove this bar to the enforcement of the right. Aside from the legal power to do so, on every tenet and precept of equity and fair dealing this Congress owes the duty to the taxpayer to right the wrong done by an official of the United States Government in regard to his illegal acts under a law passed by this Congress. It is the legal and equitable correct function of Congress to grant the relief sought.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. PORTS].

The question was taken; and on a division (demanded by Mr. PORTS) there were—ayes 23, noes 41.

Mr. MURRAY of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 127, nays 221, not voting 83, as follows:

[Roll No. 66]
YEAS—127

Allen, Ill.	Brehm	Dawson, Utah
Andersen,	Brophy	Dolliver
H. Carl	Buck	Dondro
Andersen,	Buffett	Ellis
August H.	Burke	Elston
Arends	Busbey	Engel, Mich.
Arnold	Butler	Foot
Barrett	Case, S. Dak.	Fuller
Bates, Mass.	Chipperfield	Gamble
Bender	Church	Gearhart
Bennett, Mich.	Clason	Gillette
Bennett, Mo.	Clevenger	Goff
Bishop	Cole, N. Y.	Goodwin
Blackney	Cotton	Grant, Ind.
Bradley	Davis, Wis.	Griffiths

Gross	Lemke	Robertson
Gwinn, N. Y.	Lodge	Rogers, Mass.
Hagen	Love	Ross
Hall	McCowan	Russell
Edwin Arthur	McCulloch	St. George
Halleck	McDonough	Schwabe, Mo.
Hand	McDowell	Schwabe, Okla.
Harness, Ind.	McMahon	Scrivner
Harvey	McMillen, Ill.	Seely-Brown
Herter	Mack	Simpson, Ill.
Hill	Macy	Smith, Kans.
Hoeven	Martin, Iowa	Smith, Ohio
Holmes	Mason	Smith, Wis.
Horan	Miller, Md.	Snyder
Hull	Miller, Nebr.	Stefan
Jackson, Calif.	Murray, Wis.	Stevenson
Jenison	Nixon	Sundstrom
Jenkins, Ohio	Nodar	Taber
Jensen	Norblad	Talle
Johnson, Ill.	O'Konski	Taylor
Johnson, Ind.	Phillips, Calif.	Twyman
Jones, Wash.	Plumley	Vail
Jonkman	Potts	Vorrs
Kean	Poulson	Weichel
Kersten, Wis.	Reed, N. Y.	Wigglesworth
Kilburn	Rees	Wolcott
Kunkel	Rich	Woodruff
Landis	Riehlman	
LeCompte		

NAYS—221

Abernethy	Gathings	Morton
Albert	Gavin	Muhlenberg
Allen, La.	Gordon	Multer
Andrews, Ala.	Gore	Murdock
Andrews, N. Y.	Gorski	Murray, Tenn.
Angell	Gossett	Nicholson
Auchincloss	Graham	Norton
Bakewell	Grant, Ala.	O'Brien
Banta	Gregory	Owens
Barden	Gwynne, Iowa	Pace
Bates, Ky.	Hale	Patman
Battle	Hall	Peden
Beckworth	Leonard W.	Peterson
Bland	Hardy	Philbin
Blatnik	Harless, Ariz.	Phillips, Tenn.
Boggs, Del.	Harris	Pickett
Bolton	Harrison	Poage
Bonner	Havener	Powell
Brown, Ga.	Hays	Preston
Brown, Ohio	Hedrick	Price, Fla.
Bryson	Heslton	Price, Ill.
Buchanan	Hess	Priest
Buckley	Hinshaw	Rains
Burleson	Hobbs	Ramey
Byrnes, Wis.	Hollfield	Rankin
Camp	Hope	Rayburn
Canfield	Huber	Redden
Cannon	Isacson	Reed, Ill.
Carson	Javits	Reeves
Case, N. J.	Jenkins, Pa.	Regan
Celler	Jennings	Richards
Chadwick	Johnson, Calif.	Rivers
Chelf	Jones, Ala.	Rizley
Chenoweth	Jones, N. C.	Rockwell
Cole, Kans.	Judd	Rogers, Fla.
Cole, Mo.	Karsten, Mo.	Rohrbough
Colmer	Keating	Rooney
Combs	Kee	Sadowski
Cooley	Kelley	Sanborn
Cooper	Kerr	Sarbacher
Corbett	Kilday	Sasscer
Courtney	Klein	Scott, Hardie
Cox	Lanham	Scott,
Cravens	Larcade	Hugh D., Jr.
Crawford	Lea	Shafer
Crosser	LeFevre	Sikes
Crow	Lesinski	Smathers
Cunningham	Lewis, Ky.	Smith, Va.
Curtis	Lewis, Ohio	Somers
Dague	Lucas	Spence
Davis, Ga.	Lusk	Stanley
Davis, Tenn.	Lyle	Stratton
Deane	Lynch	Teague
Delaney	McConnell	Thomas, Tex.
Devitt	McCormack	Tibbott
Dingell	McGarvey	Tollefson
Domengeaux	McGregor	Trimble
Donohue	MacKinnon	Van Zandt
Douglas	Madden	Vinson
Durham	Mahon	Vursell
Eaton	Maloney	Wadsworth
Eberharter	Manasco	Welch
Elliott	Mansfield	Wheeler
Ellsworth	Marcantonio	Whitten
Elsaesser	Mathews	Whittington
Evins	Meade, Ky.	Williams
Fallon	Meade, Md.	Wilson, Ind.
Feighan	Merron	Wilson, Tex.
Fenton	Meyer	Winstead
Fernandez	Michener	Wolverton
Flannagan	Miller, Conn.	Wood
Fogarty	Mills	Worley
Forand	Morgan	Youngblood
Garmatz	Morris	
Gary	Morrison	

NOT VOTING—83

Abbitt	Fulton	Miller, Calif.
Allen, Calif.	Gallagher	Mitchell
Anderson, Calif.	Gillie	Monroney
Beall	Granger	Mundt
Bell	Hart	Norrell
Bloom	Hartley	O'Hara
Boggs, La.	Hébert	O'Toole
Boykin	Heffernan	Passman
Bramblett	Hendricks	Patterson
Brooks	Hoffman	Pfeifer
Bulwinkle	Jackson, Wash.	Ploeser
Byrne, N. Y.	Jarman	Riley
Carroll	Johnson, Okla.	Sabath
Chapman	Johnson, Tex.	Sadlak
Clark	Kearney	Scoblick
Clippinger	Kearns	Sheppard
Coffin	Keefe	Short
Coudert	Kefauver	Simpson, Pa.
Dawson, Ill.	Kennedy	Smith, Maine
D'Ewart	Keogh	Stigler
Dirksen	King	Stockman
Dorn	Kirwan	Thomas, N. J.
Doughton	Knutson	Thompson
Engle, Calif.	Lane	Towe
Fellows	Latham	Walter
Fisher	Lichtenwalter	West
Fletcher	Ludlow	Whitaker
Folger	McMillan, S. C.	

So the amendment was rejected.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Towe with Mr. Bell.

Mr. Simpson of Pennsylvania with Mr. Jackson of Washington.

Mr. Lichtenwalter with Mr. Hébert.

Mrs. Smith of Maine with Mr. Folger.

Mr. D'Ewart with Mr. Hart.

Mr. Bramblett with Mr. Passman.

Mr. Kearns with Mr. Carroll.

Mr. Mundt with Mr. Boggs of Louisiana.

Mr. Mitchell with Mr. Kennedy.

Mr. Short with Mr. Kefauver.

Mr. Patterson with Mr. Walter.

Mr. Hoffman with Mr. Riley.

Mr. Ploeser with Mr. Dorn.

Mr. Latham with Mr. Chapman.

Mr. Kearney with Mr. King.

Mr. Knutson with Mr. Engel of California.

The result of the vote was announced as above recorded.

The doors were opened.

The Clerk read as follows:

Title II—(H. R. 385. For the relief of Reginald Mitchell.) By Mr. HINSHAW

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Reginald Mitchell, of North Hollywood, Calif., the sum of \$106.85, in full satisfaction of his claim against the United States for compensation for property damage sustained by him, as a result of an accident which occurred when a United States Army vehicle collided with another automobile and pushed it into the rear of the automobile which he was driving, at the intersection of East Seventh Street and Maple Street, in Los Angeles, Calif., on November 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Title III—(H. R. 813. For the relief of J. Don Alexander.) By Mr. CHENOWETH

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Don Alexander, of Colorado Springs, Colo., the sum of \$16,720.41, in full settlement of all claims against the United States by the said J. Don Alexander on account of an erroneous payment of

income tax for the year 1929 in the above amount covering the capital net gain from the sale of 9,000 shares of stock in the Alexander Industries, Inc., which stock was later, in the case of Alexander against Theleman in the United States circuit court of appeals (69 F. (2d), p. 610), held to be the property of the corporation and not of the said J. Don Alexander: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. DOLLIVER. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. DOLLIVER moves to strike out all of title III.

Mr. DOLLIVER. Mr. Speaker, in view of the vote that has just been taken by roll call, perhaps anything I shall say now is utterly futile. But I for one am not going to stand by and see the statute of limitations eliminated by the House of Representatives by a roll call vote without the House knowing what it is doing. You have just voted \$87,000, less about \$16,000 to a bankrupt margarine corporation in the State of Tennessee.

Now, this bill is to repay \$16,000 to an individual in the State of Colorado.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. No, I do not yield. You will have your time.

It seems to me that we ought to know where we are going in ignoring and flouting the statute of limitations which we ourselves have put upon the statute books of this country. The result will be, we are going to be swamped with a flood of this kind of legislation.

Now, about the facts in this case: The bill provides for the payment of over \$16,000 to the claimant as a tax on net gain on 9,000 shares of stock which the claimant is supposed to have owned and claimed that he did own at the time the tax was paid. It was subsequently determined that he did not own the stock at all when the transaction was made, and it was found, and correctly so, that therefore, as an original matter, no tax was due. However, before he got around to claiming the tax refund or perhaps before he could claim the tax refund, the statute of limitations had expired and he was barred from refund of those taxes. Now he is here asking the Congress to appropriate this money to refund that tax to him.

The Treasury Department opposes the bill because it says it grants special relief in the case of taxes erroneously collected, the refund of which is not claimed in the time and in the manner required by law, and thus constitutes a discrimination against other taxpayers similarly situated, and would create a bad precedent which might encourage other taxpayers to seek relief in the same manner.

Now, it is your responsibility to vote up or down this amendment. If you wish to refund this tax to this individual, that is your responsibility. As far as I am concerned, I propose to vote for the amendment, to see to it that we abide by some rational method of refunding taxes.

As I said a moment ago, in view of the vote just taken for the margarine company in Tennessee, it may be that you will vote to give the gentleman from Colorado Springs the money as well. It looks as though first we look after the Democrats and then the Republicans.

Mr. MATHEWS. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield.

Mr. MATHEWS. Is it a fact that the taxpayers could not or just did not bring his suit in time?

Mr. DOLLIVER. As I understand it, he did not.

Mr. MATHEWS. Then, why is this bill here?

Mr. DOLLIVER. That is what I would like to know.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. CHENOWETH. Mr. Speaker, I rise in opposition to the amendment.

I am sure the gentleman from Iowa [Mr. DOLLIVER] wants to be entirely fair in this matter. He referred to the claimant in this matter as being a bankrupt individual. I hasten to correct that impression. Mr. J. Don Alexander is a highly respected and substantial citizen of Colorado Springs. He is president of one of the largest industries in that area.

In this case the issue is very simple. The United States Government has erroneously collected from Mr. Alexander the sum of \$16,720.41 on an income-tax payment. The only defense for retaining this money is that Mr. Alexander failed to make application for a refund in time. The House Judiciary Committee found that Mr. Alexander was entitled to a refund of this money, which is the amount of income taxes Mr. Alexander paid to the United States Government as a capital gains tax on certain stock which he thought he owned, but which the court later decided belonged to the corporation.

The stock involved was in the Alexander Industries, Inc., a Colorado corporation, with its principal office and place of business in Colorado Springs. In the year 1929 a sale of 9,000 shares of stock in this corporation was made. The sale price was \$135,257. The Government found that the cost of these shares to Alexander was .1637 cents per share, and after deducting the \$1,493.76 was the original cost arrived at a capital net gain of \$133,763.24, on which Mr. Alexander paid a tax of \$16,720.41.

This corporation became involved in bankruptcy proceedings and Mr. Alexander filed a claim for the amount due him arising through a loan of the proceeds of the sale of his stock. The referee in bankruptcy refused to allow this claim, and ruled that there was no indebtedness, in that the stock sold was unissued stock of the corporation. The trial court approved the findings of the referee and the case was appealed to the circuit court of appeals. This court

found in the case of *Alexander v. Theleman* (69 F. (2d) p. 610), that this stock, upon which Mr. Alexander had paid personal income tax, was not his personal stock, but had been loaned to him by the company, and that he was to have been repaid in stock. This case was decided on March 26, 1934, and a petition for rehearing denied on April 30, 1934. Mr. Alexander attempted to take the case to the Supreme Court of the United States, but a petition for writ of certiorari was denied on October 8, 1934.

Prior to this decision of the circuit court of appeals, Mr. Alexander had assumed that the determination of his 1929 income tax had been correct, and that for income-tax purposes he had realized a capital net gain from the sale of this stock. The court held that Mr. Alexander was to have received shares of stock from the corporation in exchange for the 9,000 shares which he sold. Consequently, there was no gain or loss in the transaction and the tax was erroneously assessed and paid. As a result of this decision Mr. Alexander had neither his stock nor the money. He is now seeking to obtain a refund of \$16,720.41, which is the amount he paid by mistake.

This explains why Mr. Alexander did not make application for a refund in time to comply with the statute of limitations. His case was not finally determined until 1934, which was a couple of years after the 2-year statutory period. Had the court found in his favor he would have owed the tax in question.

In other words, the United States Government, through the Collector of Internal Revenue, does not deny that the Government erroneously collected this money. They admit that Mr. Alexander did not owe the Government this tax. However, they say Mr. Alexander did not make claim for a refund within the 2-year period as provided by the statute of limitations, and therefore contend they have no authority whatever to make this refund. I fully agree with the position taken by the Collector of Internal Revenue that under the existing statute they are not authorized to pay this money back to Mr. Alexander. The only recourse he has is to appeal to the Congress of the United States through the bill that is before us. It is conceded that the money would have been returned to him had he filed his application in time to comply with the statute. He did file his claim as soon as he learned that the court had decided the stock did not belong to him, and that he had paid these taxes by mistake.

Mr. Speaker, I realize that we must have statutes of limitation, but I also feel that equity should be done in these cases. I submit that the United States Government has no right to withhold this money from Mr. Alexander, which was paid in good faith, but by mistake, as admitted by all.

This case was not decided in the circuit court of appeals until 1934. This tax was paid for the year 1929. Up to the time the final decision was rendered in the circuit court of appeals this taxpayer thought he was the owner of the stock, and on that assumption he paid

the capital gains tax on the same. Finally the circuit court of appeals held that he did not own the stock, but that it belonged to the corporation. As a result he paid a capital gains tax on stock that he did not own.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. CHENOWETH. I yield.

Mr. JENNINGS. So this taxpayer had no ground upon which to base a claim for relief until the statute of limitations had run.

Mr. CHENOWETH. That is correct.

Mr. JENNINGS. And is it not a principle of law that if a man is discharged in bankruptcy and relieved from the payment of a debt, that if he subsequently promises to pay the debt, a moral obligation will sustain a suit upon that barred claim? In other words, I am getting to the equities of the thing. If a man has a moral obligation to pay a debt, even though its payment may be barred by the statute of limitation, or even though he may be discharged in bankruptcy, his moral obligation will sustain his new promise to pay, and you can make him pay it.

Mr. CHENOWETH. I appreciate the observations of the distinguished gentleman from Tennessee. I may say that I had the pleasure and honor of serving with him for a period of 6 years on the Committee on Claims. I consider him one of the best-informed Members of the House on private claims and the theory of such legislation.

Mr. JENNINGS. If the gentleman will permit another statement, an honest man's debt is never barred by the statute of limitations, is it?

Mr. CHENOWETH. I agree with the gentleman. I submit that the United States Government owes Mr. Alexander this money and that it should be paid to him. I hope the amendment will be rejected, so that this bill may pass.

The SPEAKER. The time of the gentleman from Colorado has expired.

The question is on the motion of the gentleman from Iowa to strike out title III.

The question was taken; and on a division (demanded by Mr. DOLLIVER) there were—ayes 24, noes 76.

So the motion to strike out title III was rejected.

The Clerk read as follows:

Title IV—(H. R. 2696. For the relief of Otto Kraus, receiver of the Neafie & Levy Ship and Engine Building Co.) By Mr. HUGH D. SCOTT, JR.

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Otto Kraus, receiver of the Neafie & Levy Ship and Engine Building Co., the sum of \$103,821.56, in full settlement of all claims against the United States for the difference between the actual cost of the construction of three torpedo-boat destroyers and the amount paid by the United States under the contract entered into for the building of said boats, as found by the Court of Claims on January 8, 1940, and reported in Senate Document No. 161, Seventy-sixth Congress, third session: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection

with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. DOLLIVER. Mr. Speaker, I offer a motion to strike out this title.

The Clerk read as follows:

Mr. DOLLIVER moves to strike out all of title IV.

Mr. DOLLIVER. Mr. Speaker, I am glad that this is not a refund-tax case, because I know how the membership is going to vote on that. This is something else, and entirely different.

Mr. Speaker, this is a claim that originated during the Spanish-American War in 1898 and is the claim of a receiver of the Neafie & Levy Ship & Engine Building Co. for loss alleged to have been sustained on three contracts entered into on October 1, 1898, for the construction of three torpedo-boat destroyers.

A Senate resolution in 1910 referred this matter to the Court of Claims. According to the memorandum I have, finally, in 1940, the Court of Claims handed down a decision that the company suffered this loss through no fault of its own.

In reporting this bill the Committee on the Judiciary emphasizes that some other companies had reimbursement. Well, again, I can only refer to my own sense of responsibility in reference to this kind of a claim. It is 50 years old. Whoever had charge of it certainly has slept on his rights. If there was a claim in 1898 it certainly should have been settled by 1908. Now, 50 years later, they come to this Congress and ask for \$103,000-plus which arose out of this transaction of over 50 years ago. There is not a court I know of but what would call that kind of a claim stale and outlawed and would not consider it.

Accordingly, it seems quite unreasonable to me to believe that the Congress ought to pay \$103,821.56 of the taxpayers' money to a receiver of a bankrupt corporation for a loss alleged to have been sustained in 1898.

Mr. POTTS. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from New York.

Mr. POTTS. Is this not another case where the funds are being paid to a bankrupt estate and that the taxpayer himself is not interested, but, rather, those who will get the funds for the bankrupt estate?

Mr. DOLLIVER. The gentleman is entirely correct.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Does the gentleman from Iowa believe that the statute of limitations runs while a case is pending in court?

Mr. DOLLIVER. No.

Mr. COLE of Missouri. I understood the gentleman to say that the case was in court from 1910 to 1940.

Mr. DOLLIVER. The decision was rendered in 1940, and it was referred to the Court of Claims in 1910.

Mr. COLE of Missouri. The gentleman does not contend that the claimant was lax in pursuing this claim while it was pending in the courts, does he?

Mr. DOLLIVER. Yes; I would say that he was lax in pursuing his claim when he had a claim in court 30 years.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from Pennsylvania.

Mr. HUGH D. SCOTT, JR. Will not the gentleman agree that it is a fact that this money will be paid to the receiver for the benefit of subcontractors and materialmen whose rights to the money are not denied? They performed the work and are entitled to the money, but it has been held up in the courts for 30 years.

Mr. DOLLIVER. I have no information on that score. I do not know what becomes of the money. I only know where it is coming from. If you vote for the amendment to strike out this title, you are going to save the taxpayers \$103,000. If you vote against it, why you are going to take \$103,000 out of the taxpayers' pockets which we, on the objectors committee, have tried to save for the taxpayers, and pay it to the receiver of a bankrupt corporation.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I rise in opposition to the motion and I ask unanimous consent that I may yield my time to the gentleman from Missouri [Mr. REEVES], a member of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. REEVES. Mr. Speaker, I am entirely in sympathy with the purpose of the gentleman from Iowa to save money for the taxpayers. But I hardly think that most Members of this House are so intent on doing so that they would consciously reject a meritorious claim against the United States.

Rejection of this claim by passage of the pending motion to strike out title IV would result in a substantial and unconscionable injustice. The Claims Subcommittee of the Judiciary Committee, on which I am privileged to serve, conducted a hearing on the matter and gave thorough consideration to the merits of the case.

The claim is for actual "out of pocket" cash losses incurred by the Neafie & Levy Co. in the construction of three torpedo-boat destroyers for the Navy Department. These vessels were the first torpedo-boat destroyers designed and constructed by the United States Government and were experimental in a large measure. The losses and increased costs to the company were due to, first, delay in obtaining the deliveries of steel, resulting in wage and price increases; second, substantial changes by the Navy in the designs and displacement of the vessels; and, third, the unprecedented and unpredictable number of trial runs required by the Navy.

As the committee's report shows, several shipbuilding companies entered into contracts with the Navy Department at the same time for the construction of vessels of the same type, and all the companies

suffered losses similar to those of this claimant. All the companies, including the Neafie & Levy Co., appealed at once to the Navy Department for settlement, but the Navy referred them to Congress for relief. The Congress finally, in 1910, referred all of the claims to the Court of Claims, not for judgments, but to make findings of fact in each case and report the same back to the Congress.

In the Neafie & Levy case, the court delayed its decision for 30 years and in 1940 reported to the Congress that the actual losses of the company, exclusive of any item of profit, were \$103,821.56 and that such losses had been occasioned by the changes required by the Navy Department and other causes which neither the company nor the Navy Department could have anticipated at the time of making the contract. The court further found that compensation to which plaintiff might be entitled rests entirely in the discretion of the Congress.

The other two companies which suffered similar losses in the construction of torpedo-boat destroyers under the same Navy program were reimbursed for their losses by private acts of Congress, after the Court of Claims reported such losses to Congress.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I ask the gentleman if my recollection is correct, that the facts involved in this bill are the same as were involved in the Lawley bill that I introduced, which passed this House and passed the other body and became a law in 1936?

Mr. REEVES. They are exactly the same.

Mr. McCORMACK. One other company, as I remember, the Fall River Co., was also involved, and that bill went through in 1926, or thereabouts.

Mr. REEVES. That is exactly correct.

Mr. McCORMACK. I introduced a bill in behalf of one of them, and after a complete investigation I was satisfied as to the equities. It seems to me that this bill is based upon the same set of facts, and it ought to receive the same justice by this House as was given in connection with the other two companies.

Mr. REEVES. In 1926 the Fore River Ship & Engine Building Co. was reimbursed \$106,521.12 for losses in building two torpedo-boat destroyers.

In 1936 the George Lawley & Son Corp. was reimbursed \$92,781 for losses in building two torpedo-boat destroyers.

The pending claim of Neafie & Levy, which was not reported to the Congress by the Court of Claims until March 11, 1940, is for \$103,821.56 for losses in building three torpedo-boat destroyers.

Enactment of the present bill, therefore, will accord to this claimant the same equitable treatment as has been granted to the other two companies. It will also conform to the fairly well-defined policy of the Congress to reimburse Government contractors who have performed work and furnished materials, of which the Government has received the use and benefit, but who nevertheless, due to conditions beyond their control and which could not have been antici-

pated, have suffered losses in the performance of their contracts.

It is conceded that the claim is not a legal claim in a juridical sense. If it were, claimant could have secured a judgment in the Court of Claims and would not now be before the Congress asking for relief.

The Navy Department decided it was not possible under the law to make adjustments in any of these three cases, even though the Department conceded that such adjustments should be made. There was no recourse, therefore, except for the companies to come to Congress for relief. It is because these were not legal claims that Congress referred them to the Court of Claims for investigation and directed the court not to render judgment but to find the facts and determine the amount of the losses and report the same to the Congress. The Court of Claims had no power to render judgments for the claimants, but could only report the facts and find the amounts of the losses, and this title of the omnibus bill is based directly on its findings.

The objection that the company and its receiver are guilty of laches is entirely unfounded, because, as already stated, claim was promptly filed with the Navy Department. The fact is that while all these claims were referred by the Congress to the Court of Claims in 1910, the court did not report back its findings to Congress in this case until 1940. In other words, the court disposed of the other claims first, and as they were consecutively reported to Congress they were paid. Since the findings of the Court of Claims were filed in 1940, this claimant has been altogether diligent in its efforts to secure relief from the Congress.

The objection of laches was made against the Fore River and Lawley claims at the times they were before the House. This body considered these objections unfounded and with the concurrence of the other body authorized payment of those claims.

To state the case very simply, the three contractors were all in precisely the same position. Two of them have been fully compensated for their losses, and it is my conviction that the House has an obligation to insure that the third sole remaining contractor shall be equally treated and fairly compensated. The Government has received the use and benefit of these vessels, and this claimant should be paid in full just as the other companies have been paid. No interest is included in the amount of the proposed award.

I therefore urge that the motion to strike title IV from the bill be defeated.

Mr. REDDEN. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from North Carolina.

Mr. REDDEN. May I ask the gentleman what caused all the delay? I have not heard any explanation of that.

Mr. REEVES. Congress held up the matter from 1900 to 1910. It was not quite sure how to handle it. Bills were introduced in successive Congresses during that period. Then it was referred to the Court of Claims for findings, and the Court of Claims delayed its findings for

30 years. It came up in 1940 with findings which support in every respect the facts which are set up in this bill and the award which is proposed to be made. There is obvious equity in the claim, and there has been no laches.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Iowa.

Mr. DOLLIVER. May I ask the gentleman if he thinks the House is justified in making another mistake, having made two mistakes on the same set of facts?

Mr. REEVES. I think it is the gentleman from Iowa who has made the mistake. There is no doubt about the merit of the bill and the House will make no mistake by voting down his amendment.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, will the gentleman yield?

Mr. REEVES. I yield to the gentleman from Pennsylvania.

Mr. HUGH D. SCOTT, JR. Does not the gentleman think the equities in this case are on the part of the receiver, when he remembers that the taxpayers of this country had the benefit of the use of those two destroyers throughout two wars, the Spanish-American War and the First World War, and the subcontractors and the material men still have not been paid?

Mr. REEVES. The gentleman is eminently correct.

The SPEAKER. The question is on the amendment offered by the gentleman from Iowa [Mr. DOLLIVER].

The question was taken; and on a division (demanded by Mr. DOLLIVER) there were—ayes 30, noes 66.

So the amendment was rejected.

The Clerk read as follows:

Title V—(H. R. 1296. For the relief of Cohen, Goldman & Co., Inc.) By Mr. Coudert

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Cohen, Goldman & Co., Inc., out of any money in the Treasury not otherwise appropriated, the sum of \$19,030.20, in full settlement of all claims against the Government growing out of contracts Nos. 1325, 1645, 2299, 3220, and 4519N, and contracts supplementary thereto, for the manufacture during 1917 and 1918 of overcoats and uniforms for the United States Army.

With the following committee amendment:

Page 5, line 22, after "Army" insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The SPEAKER. The question is on the passage of the omnibus bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a speech.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD and include an address delivered by Hon. JOHN C. BUTLER.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include a letter from a constituent.

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include some newspaper articles.

SUBVERSIVE ACTIVITIES CONTROL BILL, 1948

Mr. NIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of H. R. 5852, with Mr. WADSWORTH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on last Friday, general debate having been concluded, the first section was read for amendment.

THE MUNTZ BILL IS A WEAPON OF NATIONAL DEFENSE

Mr. DONDERO. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, about 10 years ago, the House of Representatives established the Committee on Un-American Activities, first as a special committee and—since 1945—as a permanent committee.

Its purpose is to inquire into and investigate the activities and machinations of subversive elements in the United States. It is the only agency of our Government to which a Member of Congress can turn for information regarding individuals and groups whose loyalty to our Nation is questioned.

This is in no way to be construed as a reflection upon the Federal Bureau of Investigation or its work in this field. It is one of the most efficient agencies of its kind in the world; but, under the law creating the FBI, it is not at liberty to divulge all information and is subject to the Department of Justice, under which it operates.

The Committee on Un-American Activities has done most excellent work, and every loyal American owes it a debt of gratitude. It has been the target for much abuse, criticism, and persecution. The strongest reason for its continued existence is the enemies it has made.

Every Communist or other enemy of our country wants this committee destroyed.

The membership of the Committee on Un-American Activities is composed of outstanding, loyal Americans. They and their predecessors are men who do not flinch from subtle and cruel slander. They are steadfast in their duty to their country. I pay deserved tribute to each and every member of the committee for

the service they have rendered the cause of freedom throughout the world and especially here at home.

After a decade of painstaking effort and diligence, the committee has presented to the House a bill, H. R. 5852, to protect our freedom and way of life. No right-thinking, sane American can shut his eyes any longer to the danger of communism within our gates.

What is communism? "It is an evil and malignant way of life," says J. Edgar Hoover, Director of the FBI. It is based on brute force, fear and terror. Communists have infiltrated every activity of American life. They are traitors to our country and wolves in sheep's clothing.

Nearly 20 years ago Russia gave notice, and I quote:

The world-wide nature of our program is not mere talk but an all-embracing and blood-soaked reality. Our ultimate aim is world-wide communism.

When a neighbor gives you notice that he intends to destroy you, your home and family, your religious belief, and your Government, and do it with force and bloodshed, you are an exception if you do not take measures to resist that threat, even unto death. You have no choice.

The bill before us is one of those measures. It ought to have the enthusiastic support of every Member of Congress. The Communist opposition to it is the best argument for it.

The Committee on Un-American Activities has found that the Communist movement in the United States is foreign-controlled and that its activities are carried on by secret and conspiratorial methods. They claim that they are a political party; we know they are not. Political parties in the United States are not controlled by foreign governments.

We have a right under our Constitution to protect ourselves. The Communists say this bill would nullify the Bill of Rights. What is the Bill of Rights? It is freedom of speech, freedom of the press, freedom of assembly, and freedom of religion. They propose to destroy every one of such freedoms. They propose to destroy our Constitution; yet they vociferously oppose this legislation on the ground that we are destroying such freedoms. Such nonsense would be humorous if it were not so tragic. They know, and we all know, that the freedoms guaranteed under our Bill of Rights do not exist under the atheistic creed of communism.

On April 3, 1947, I introduced a bill, H. R. 2948, the purpose of which is to safeguard the sovereignty and welfare of the people of the United States. It contains a provision requiring any agency, political or otherwise, whose origin is directly or indirectly of foreign inspiration and whose object is the overthrow of the Government of the United States, to register with the Secretary of State. I am gratified that the Committee on Un-American Activities has embodied that principle in the pending measure known as the Mundt bill.

I said at the beginning that Communists and other subversive elements had infiltrated into every activity of America. Not even the churches and schools have

been immune from their attack. The Federal Government here in Washington has been especially fertile soil for planting their seed. Their presence in key positions and influential posts has been particularly galling to loyal citizens everywhere. Members of Congress have protested with some effect.

For a number of years, I have exerted every effort to turn the spotlight on these termites and remove them from the Government. My efforts have been rewarded with some success.

The extent to which Communists and Communist sympathizers got into the very heart of our Nation is evidenced by the fact that they were able not only to obtain secret and highly confidential information from the records of our Government in time of war but were able to actually steal the records and transport them to a distant city.

The story of the Russian spy ring as it operated in Canada during the war and at a time when Canada was the friend and ally of Russia is undisputed evidence of the treachery of the Moscow Government. It demonstrates the ruthlessness of godless and unprincipled communism.

So clever are some of these agents of the Kremlin that they have been able to hoodwink and deceive loyalty boards and the Civil Service Commission into giving them a clean bill of health for employment within our Government. I can give cases and names.

A recent case is that of George Shaw Wheeler, whose record I exposed in a speech before the House of Representatives last July. As a result of my efforts, this man was compelled to resign from his position with our American military government in Germany. Where is he now? He was received with open arms and a warm welcome by the Communist-dominated government of Czechoslovakia and made an instructor in the technical high school in Prague, in that country.

The world is dividing into two camps: freedom versus communism; Christian civilization versus paganism; righteousness and justice versus force and violence.

That "eternal vigilance is the price of liberty" may be a trite saying; but, not since the founding of our Republic, has liberty been so seriously threatened as it is today. Its light has been going out all over the world. Here in our land alone does the lamp of freedom still shine as a beacon light of hope to a distressed and saddened world.

Communism is the greatest menace and the worst threat to Christian civilization the world has ever seen. It has, thus far, blocked all efforts to world peace. Its purpose is to enslave the earth.

I shall vote for the Mundt bill as a weapon of national defense and that we Americans may continue to sing, "My country 'tis of thee, sweet land of liberty."

The Clerk read as follows:

NECESSITY FOR LEGISLATION

SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

(1) The system of government known as totalitarian dictatorship is characterized by

the existence of a single political party, organized on a dictatorial rather than a democratic basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

(2) The establishment of a totalitarian dictatorship in any country results in the destruction of free democratic institutions, the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democratic or representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

(3) There exists a world Communist movement which, in its origins, its development, and its present practice, is a world-wide revolutionary political movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single world-wide Communist political organization.

(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, political organizations which are acknowledged by such Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are not free and independent organizations, but are mere sections of a single world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship, and among the methods commonly used to accomplish this end in any particular country are (A) the disruption of trade and commerce, (B) the inciting of economic, social, and racial strife and conflict, (C) the dissemination of propaganda calculated to undermine established government and institutions, and (D) corrupting officials of the government and securing the appointment of their agents and sympathizers to offices and positions in the government.

(7) In carrying on the activities referred to in paragraph (6), such political organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as "Communist fronts," which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such political organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such "Communist fronts."

(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of members, representatives, and agents from country to country is essential for purposes of communication and for the carrying on of activities to further the purposes of the movement.

(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

(10) In pursuance of communism's stated objectives the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

(11) The recent successes of Communist methods in other countries and the nature and control of the world Communist movement itself present a clear and present danger to the security of the United States and to the existence of free American institutions and make it necessary that Congress enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

Mr. KLEIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, Mayor William O'Dwyer, a liberal Democrat and one of the greatest mayors the city of New York has ever had, recently issued a statement in opposition to this bill, for which he was criticized by the Catholic War Veterans, of which he is a member. I would like at this time to read to the House Mayor O'Dwyer's reply to that criticism. It is dated May 15, 1948, and reads as follows:

CITY OF NEW YORK,
OFFICE OF THE MAYOR,
May 15, 1948.

Mr. ANTHONY H. FORBES,
New York Athletic Club,
New York City.

MY DEAR SIR: Although your telegram criticizing my stand on the Subversive Control Act of 1948, H. R. 5852, assumes to speak on behalf of all the Catholic war veterans, I cannot believe that they would want to deny me the right to my opinion on a matter of public legislation, even when such opinion does not coincide with their views. However, I am glad to explain my opposition to the Mundt bill. In doing so, I prefer to reason rather than dispute with you.

To begin with, in approaching this bill, I do so as a citizen deeply interested in our American democracy, particularly at this time, when the democratic way of life is challenged as never before. Viewing it in that light, I am firmly convinced that the bill is destructive of our fundamental right to discuss and criticize, freely, and openly, all political questions and all political institutions—a right that is so clearly interwoven

with our other liberties that without it despotism or anarchy must result.

Our Supreme Court has expressed that right in these words: " * * * if there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess, by word or act, their faith therein."

We already have laws that punish treason and other criminal acts against the security or safety of the Government; laws against individual acts or conspiracies to overthrow the Government; and laws that require the registration of agents of foreign governments and of foreign principals. But this bill provides a dangerous short-cut to thought control and police-state regulation. It empowers a Government officer to interpret and censor people's thoughts and opinions and permits him to determine the subversiveness or disloyalty of any political, civic, or religious organization. Its terms are so broad, and yet so vague, as to subject innocent citizens to possible loss of citizenship and other heavy penalties, not for reason of any act on their part but for being members of an organization suspected of entertaining dangerous thoughts. It would thus establish the undemocratic and dangerous principal of guilt by mere association, without proof of actual guilt, and without the safeguard of a jury trial.

This is precisely the pattern of legislation set by the Nazis and police-state governments for accomplishing the destruction of the rights of the people.

The bill is dangerous and its dangers go far beyond its declared design of curbing communism. I am opposed to communism and to police-state regulation, but I am just as strongly opposed to adopting their methods. And that is precisely what the bill does.

The more I analyze the bill the clearer it becomes that, far from protecting, it will go a long way toward destroying the American way of life.

It is well for us to recall what Governor Smith said in 1923, when he signed the bill repealing the Lusk laws, similar in their provisions, but less drastic than the Mundt bill:

"I am satisfied that they should not remain upon the statute books of this State because they are repugnant to the fundamentals of American democracy. Under the laws repealed, teachers, in order to exercise their honorable calling, were, in effect, compelled to hold opinions as to governmental matters deemed by a State officer consistent with loyalty. * * * Freedom of opinion and freedom of speech were by those laws unduly shackled. * * * In signing these bills, I firmly believe that I am vindicating the principle that, within the limits of the penal law, every citizen may speak and teach what he believes."

On another occasion, a bill to bar from civil service persons accused of advocating the overthrow of Government by force and violence, came before Governor Lehman. He vetoed it and cautioned against that kind of legislation, saying:

"Were we of this great liberal State to approve this bill today, we might readily find tomorrow that we had opened floodgates of oppressive legislation in the Nation against religious, social, labor, and other minority groups."

These are some—by no means all—of the reasons why I am unalterably opposed to this bill and to this type of legislation.

A special word to my fellow war veterans of the Catholic faith: We are but a part of the millions of war veterans who merged themselves in the total struggle to preserve our American liberties. We, of all people, must remember the lessons taught us by incitement against minority groups. As Catholics, we must not forget the sufferings inflicted by the Know-Nothing Party, the Ku Klux

Klan. Nor can we forget the insidious anti-Catholic agitation directed against Al Smith in his presidential campaign. It is not impossible to imagine a situation where a Ku Klux administrator, in some local community that is hostile to a Catholic minority, might declare a Catholic organization subversive, disloyal, or subservient to a foreign domination. This may seem improbable, but the proposed bill opens the door, and opens it wide, to just such fantastic possibilities.

As a Catholic, as a war veteran, and as a citizen residing in the world's largest city, in which 8,000,000 people, of all races, colors, creeds, and shades of opinion, live in peace and harmony, in the spirit of American democracy, I am impelled to oppose the provisions and principles of the Mundt bill.

Truly yours,

WILLIAM O'DWYER,
Mayor.

This is a sober and intelligent analysis of the bill, devoid of the hysteria which unfortunately is so prevalent today. It should go a long way toward convincing those Members who sincerely desire to know what this bill is all about.

Mr. RANKIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, of all men to make such a speech, the last one should be the gentleman from New York [Mr. KLEIN], who has just addressed the House.

Every time you mention the word "Jew" in this Chamber some of them whine to high Heaven. Yet he comes in here with a bill which is not only an insult to every white person in the District of Columbia but its passage would result in great injury to the Negroes of the District, it is an attempt to stir up race trouble here, by forcing Negroes into every white school in Washington.

That bill which was introduced by the gentleman from New York [Mr. KLEIN] on May 10, is entitled "A bill to prohibit the segregation of persons in the public schools of the District of Columbia on account of race, color, creed, national origin or ancestry."

The people of the District of Columbia have put up with that sort of agitation for a long time. Nowhere in the world, I dare say, have the two races got along better together than they have in the District of Columbia under the circumstances. Yet here is a man who whines every time you mention the word "Jew," his own race, who comes in here and attempts to create race friction in the District of Columbia, by forcing Negroes into the white schools.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. For what purpose?

Mr. KLEIN. For a question.

Mr. RANKIN. Yes, I yield.

Mr. KLEIN. What does the gentleman mean when he says I whine around here?

Mr. RANKIN. Every time the word "Jew" is mentioned some of you get up here and whine. Yet you come in here with this sort of a bill to stir up race trouble in the District of Columbia.

Every intelligent man knows it would bring about confusion, disturbance, race riots and probably mob violence.

The last man on earth who ought to be here talking pushing this kind of legislation is the gentleman from New York [Mr. KLEIN].

Mr. Chairman, I yield back the balance of my time.

Mr. MORRIS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the foundation and the basis for this bill is that communism presents a clear and present danger to the security of the United States. I am satisfied beyond all peradventure of doubt that communism presents no such thing.

The record is that upon a check of the first 1,000,000 employees of the United States by the FBI it was discovered that there was one hundredth of 1 percent whose loyalty is questioned. Communism is not on the march. Communism is waning and has been for a long time, notwithstanding all of the propaganda we hear. We know what happened in Italy, we know that communism took an awful beating there. As reported in the press on April 26 this year the German Reds took a beating in the United States zone in voting the day before. Communism is on the wane there. Then on May 4 of this year the press reported 19 industrialists came over here from France and they unanimously reported that communism is on the wane in France and especially in labor organizations. Only a few days ago, on May 14, the Attorney General of the United States is reported in the press to have said that the Communist movement is on the wane in the United States and particularly in labor circles.

Yes; communism is on the wane and has been for a long time. I made that statement in substance in the debate on the Greek-Turkey aid matter, and some of you laughed at me. But, it was and is true. Communism is not on the march; it is on the wane. With all of this propaganda that we get—and you can scarcely pick up a paper but what you read several fear articles every day—and all that is said on the floor of the House and on the radio, about how dangerous to us communism is, no wonder the people are in jitters about it. No wonder we have all this hysteria. But, it is not so; it is not so that the danger is as great as pictured. Communism is not a good form of government and it will never take hold in the United States. Now, do not misunderstand me; I have said that communism is not on the march, that it is on the wane. Liberalism is on the march and it will ever be on the march, because the people are marching forward to a better order of the day; they are marching forward ever striving for greater liberties and a greater degree of justice, to better economic conditions; and liberalism will be forever on the march. Your good party over here, the Republican Party, is more liberal than it was in yesteryear. The good old Democratic Party is also more liberal than it was in days ago. Good old Jeffersonian democracy is on the march, and it will ever be. But, communism is not. You say it presents a clear and present danger, and I say it does not. The facts are against that argument. We are living in a state of hysteria superinduced by all of this scare talk and, my friends, it is causing us to do unseemly things. I repeat again, lest I be misunderstood, that there is not a man that lives or breathes that is more opposed to communism than I am; he

could not be. I could never be a Communist and could never have anything in common with the Communists. But, this is not the way to defeat communism. This is a good way to defeat Americanism. This is a good way to destroy our own liberties in this country, and I say if we keep on with these measures we are not going to be whipped by communism but we are going to whip ourselves. We are going to destroy our own liberties in this country if we are not careful, my friends.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. BRYSON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the Communists in the United States call themselves a political party. In fact, they are no such thing. The Communist Party is not a political party in the American sense. The Communist Party is by self-admission a world-wide revolutionary conspiracy. Here in America we have merely one section of the Communist International, taking all its orders from Moscow.

It is completely illogical that a person can be a good Communist and remain a loyal American. For here is what communism stands for:

Hatred of God and all forms of religion.

Destruction of private property and inheritance.

Promotion of class hatred and violence.

Revolutionary propaganda to stir up Communist activities in foreign countries, in order to cause strikes, revolts, riots, sabotage, and industrial unrest.

Destruction of all forms of representative or democratic government, including civil liberties, such as freedom of speech, press, assembly, and trial by jury.

The promotion of class or civil war by force, violence, and bloodshed, and through world revolution to achieve the ultimate objective of a Russia-centered world dictatorship.

Communism as it is now propagandized in America is an un-American system that would destroy the fundamental freedoms upon which our Republic rests. Communists would destroy the very civil liberties they are now screaming about. The Communist Party and its satellite organizations constitute a literal enemy within our gates, and its members are quislings owing allegiance to the Soviet Union rather than to America.

On the basis of these undeniable facts, the only logical objection to the Mundt bill is that it does not go far enough. The Mundt bill is but a mild defense against the menace of communism. But it is a good beginning. Prompt legislative action is desperately needed to emasculate Communists in this country, economically and politically, by every means open to us within the framework of the American constitutional system. It is already later than we think. The security of our Nation demands that all Communists within our borders be rendered politically and economically impotent. Just as we have laws against criminal banditry, so we need effective legislation against the most dangerous gang of in-

ternational pirates ever organized. Just as we have laws requiring the labeling of poisonous chemicals for human consumption, so we need laws labeling poisonous ideas for what they are.

It is altogether possible that outlawing the Communist Party would achieve no practical purpose. It is a puerile argument, however, to say that such legislation would drive the Communists underground. The overwhelming majority of Communists are already underground. What we need is legislation that will bring them out of their hiding places, tear away their assorted masks, drag them out into the open, put the spotlight on every last one of them, to see who they are, where they are working, and what they are trying to do. The last thing that a Communist wants is public knowledge of his perfidy. The Communist Party is today the only party that persists in working in secrecy. The Mundt bill is designed merely to put the Communist Party on the same level as all legitimate American political parties. That is why there is so much wailing and gnashing of teeth among the Communists as they bring to bear all their underhanded pressure tactics to defeat the Mundt bill. The Communists know that as soon as they are brought out into the open they are doomed. They know that party members can never endure the public condemnation they will meet when they are known by name and threatened always by heavy fines and imprisonment if they choose to work in secrecy.

It is unnecessary to discuss in detail the manner in which these enemies within our gates are attempting to accomplish their nefarious objectives. They openly admit the use of any and all means, legal or illegal, or a combination of both, to bring about revolution. The efforts in this country are not confined to mere expression, or academic discussion. It is not a simple matter of freedom of speech and assembly. Overt efforts are being made in every conceivable way to create dissatisfaction and discontent, to capitalize on it wherever it exists, in order to produce emotional results that will aid them in furthering their cause. They employ the "boring-from-within" policy, a policy that Jefferson warned against when he stated that the greatest threat to American liberty would be from forces within rather than outside forces. The Communists employ the Trojan horse technique in labor, fraternal, and other organizations, in order to obtain a position of influence therein, or to obtain recognition so as to influence the policies of such organizations. They employ also the united-front policy, where they join with other organizations in the agitation or furtherance of some program. They are not interested in the program, except as a means of using the persons in their cause. They join with others, not because they believe in what others fight for, but to use the strength of other organizations for their own advantage. To them, anything in which they engage is simply a means to the end they seek—the overthrow of government, not through the Constitution, but by force and violence.

The other night while rereading Chief Justice Marshall's *Life of George Washington*, I came upon these words of admonition:

Let me conjure you, in the name of our common country, as you value your own honor, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man who wishes, under any specious pretences, to overturn the liberties of our country, and who wickedly attempts to open the floodgates of civil discord, and deluge our rising empire in blood.

The entire Communist program is disgusting and repulsive to all who believe in the things that America stands for. It is to our eternal shame that we have coddled and pampered these termites as long as we have. The legislation in question may very well be too little, too late. We must not believe that the Mundt bill is the final answer to the Communist problem. But it is a necessary beginning. We owe it to all innocent and loyal Americans to protect them from becoming unwitting dupes of the Communist Party and its multiple fronts. We may debate the wisdom of outlawing the Communist Party, but certainly there can be no debate over the question of exposing its members. Members of this House have no hesitancy in making their party affiliations known, why should the Communist?

The Mundt bill does not kill the Communist serpent, but it does draw its poisonous fangs. We owe at least this much to our people in the name of American liberty. We cannot wait until the Communist menace results in actual revolution. In the words of Justice Sanford:

If a State were compelled to wait until the apprehended danger became certain, then its right to protect itself would come into being simultaneously with the overthrow of the government, when there would be neither prosecuting officers nor courts for the enforcement of the law. (*Gittlow v. New York* (vol. 268 U. S. Reports, p. 667).)

The time to act is now. As we watch the onward sweep of communism in Europe and the Far East, and as we observe the devious doings of the Communists in America in their slavish subservience to Moscow, we cannot show too much haste in enacting legislation of this nature. The Mundt bill is practical, effective, and—if anything—altogether too soft. We must pass it now, and trust the common sense of the American people to do the rest.

Mr. KELLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Chairman, the necessity for the Mundt bill is not apparent, and its value is doubtful. When two prominent Republican Presidential candidates cannot agree upon the interpretation of the bill—whether or not it outlaws communism—it is not clearly drawn. We have too much legislation written that way.

It is difficult to understand why this bill was introduced at all. We have plenty of laws to take care of sedition and treason. We have also on the books requirements for registration of subversive groups. Under the crime of treason, sedition is clearly defined, and it is a wonder to me, if the Communists are as bad as the Un-American Activities Committee maintains, that these agents advocating overthrow of our Government by force have not been prosecuted. Why have they not been brought to the courts, convicted and sentenced? If there is any flaw in the laws providing punishment for these people, the Un-American Activities Committee should see to it that the correction is made so that these traitors and seditionists are dealt with properly. Why attempt half-way measures? Why fool the American people into believing that something is being done to correct a dangerous situation, if it is a dangerous situation, when the proposed legislation will not cure it?

If the Mundt bill is enacted into law, it will be seen how far-reaching it is. Innocent people may be subject to persecution. It seems to me that under it a person expressing an opinion contrary to the accepted beliefs of the majority could be branded as revolutionary or subversive. As one of the Presidential candidates said, "Let us prosecute the act, not the idea." It is better that one guilty man escape than one innocent person be condemned. We have seemed to have lost that view lately in much of the legislation coming before us.

I have repeatedly said that I have no time for communism or for persons who would advocate the overthrow of this Government by revolutionary methods, but I cannot acquiesce in this legislation that would injure innocent people, and that would be its effect rather than the purpose its authors intended. It occurs to me that in our search for Communists we are drifting pretty far toward totalitarianism. That may be a common argument, but the approach to totalitarianism is so insidious that the American people may not realize it. All of the efforts being made to circumscribe the thoughts and actions of the decent American citizen are ample evidence of that trend. We have gone far along a dangerous road when we attempt to pass a measure of this kind.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, within the last half hour we have heard some remarks on the floor here which should give us cause for pause. The gentleman from New York [Mr. KLEIN] made a few remarks in which he read a letter written by the eminent mayor of the greatest city in the world, a very democratic speech, showing that the mayor was a lover of liberty and believed in constitutional principles. Just a few minutes thereafter the gentleman from Mississippi [Mr. RANKIN] made some remarks with respect to a measure which had previously been introduced by the gentleman from New York [Mr. KLEIN]. In those remarks the gentleman from Mississippi, in effect, accused the gentleman from New York of promoting racial strife and race riots and matters of that type.

Mr. Chairman, I want to call your attention to the fact that this measure practically makes it a crime for anybody whom the Attorney General can reasonably conclude belongs to an organization which takes a course of action which would incite economic, social, or racial, strife or conflict.

If the gentleman from New York [Mr. KLEIN] belonged to an organization at which speeches are made such as he has made in the past, or belonged to an organization that believes in nonsegregation of the white and the black, the Attorney General could find that that organization is a Communist-front organization. The members of that organization who are officers must needs be registered, and their names put on a blacklist. Under certain circumstances everybody that pays dues in that organization would have their names listed. It would contribute to the building up of a blacklist amounting to millions and millions of persons.

Mr. Chairman, it is all right to be against communism, but are we going to destroy the liberties of the American people by being afraid that communism is on the march? As the gentleman from Oklahoma very reasonably said, I think to the satisfaction of everybody, we know that communism is on the wane; we also know that democracy is on the march throughout the world; we in this country and in this Congress should not waste the time of the House of Representatives, practically two legislative days, in debating and passing a measure which all of us know almost as a matter of certainty will never become the law of this land. The other body will devote no time to ideas such as are proposed in the Mundt bill.

We spent over \$200,000 in a year to promote the activities of the Committee on Un-American Activities. Next year I assume the committee will come in and ask for \$300,000, and then in order to justify that expenditure will make wild accusations, which they will not be able to prove, against the finest characters in America. The following year perhaps they will ask for half a million dollars, and come in with some other phony measure which will not do any good for the freedom-loving people of this country, and which is violative of the Constitution of the United States, under the bugaboo of suppressing communism. They are even beginning to accuse Members who oppose this bill of using communistic tactics. Every curtain that they can throw around the real meaning of the prohibitions contained in this bill, and every statement that is made in support of this measure, can by any thoughtful person be found to be unreasonable and without substance in fact.

I think all the legislation that should be passed by this Congress within the next 4 weeks, up to June 20, should be given consideration, instead of wasting time and stirring up hate and prejudice in this country. That is what this bill does. I do not know a single person in my congressional district that espouses communism, but I have in my district many organizations that believe in the FEPC, that believe in veterans' housing,

that believe in upholding freedom of speech and that right to express your opinion. I do not want those organizations labeled as Communist-front organizations, by the reasonable conclusion of one individual, some future attorney general, who may be swayed by prejudice, hysteria, or even personal or public political considerations.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I wish to compliment the Committee on Un-American Activities for the fine work that it has done in the past and to encourage it to continue its good work—I also wish to compliment the distinguished gentleman from California [Mr. Nixon] for the splendid manner in which he has conducted the debate on this important subject.

Mr. Chairman, I have been raising my voice on this floor against Communists for more than 20 years. I shall vote for this bill, commonly known as the Mundt bill. It may not be what many Members might want, but it is a gigantic step in the right direction. Communism is a direct antithesis to Americanism. Likewise, it is a direct opposite to Christianity. Its purpose is to undermine America, and, consequently, we should not fail to condemn it at every opportunity. I hope we will reflect the sentiment of our people who are almost unanimously opposed to communism in all its ramifications. I may be compelled to be away tomorrow when the final vote on this bill comes up for vote. I have been called away on important public business relating to the experiments seeking to make oil and gas from coal and shale, and I may miss this vote, but I shall pair my vote if I can do so.

Mr. MILLER of Connecticut. Mr. Chairman, I offer a preferential motion. The Clerk read as follows:

Mr. MILLER of Connecticut moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause of the bill H. R. 5852 be stricken out.

Mr. MILLER of Connecticut. Mr. Chairman, I offer this motion in all sincerity as the best way to postpone a decision on the questions raised in the Mundt bill. I feel very strongly that this bill needs further hearings and further study by the committee.

First we were presented with the original Mundt bill. We now have a substitute for the Mundt bill. During general debate the distinguished gentleman from Illinois [Mr. OWENS] stated that the committee had indicated to him that they would accept possibly a dozen amendments that he proposes to offer to the bill, and I have heard it stated that the committee has numerous amendments that it intends to offer. All of which supports the position of those who oppose the bill as presented to us today. Undoubtedly many of these amendments will relate to the court review provision. I confess that I do not consider myself competent to hear an amendment read at the desk and then debated for 5 or possible 10 minutes, then be able to determine whether that amendment removes the objections that have been raised to the

bill. For that reason, I think the Committee should take all of the suggestions which have been brought out during general debate, objections that have been raised by Members of the House, as well as others, and give the bill further consideration.

Last evening I listened to the debate from Oregon on this question: Should the Communist Party be outlawed? We find two distinguished leaders of our country diametrically opposed to each other as to what the Mundt bill would do. One says that the Mundt bill outlaws the Communist Party. The other participant in the debate says that it does not do any such thing. He says that insofar as it provides for registration it is a good bill, but he intimated very plainly that in his opinion the balance of the bill was of doubtful constitutionality. Here we have the opinion of two able men who have studied the problem, and who undoubtedly have studied the bill. They have come to such diametrically opposed conclusions. Mr. Stassen says very definitely it will outlaw the party, and the committee report says it will not. I am sure of one thing. The bill will not drive the dangerous Communists under ground. This bill provides that after going through the procedure of having the Attorney General make a finding that the Communist Party of America is a Communist political organization, that each member of that party must register with the Attorney General. I assume some officer of the organization will be charged with registering their members. But what is going to constitute membership in the Communist Party of America? Will it be the paying of dues? If so, perhaps they will not have to collect any dues because they may be amply financed from Moscow and will not need any dues from American Communists. Will it be the attending of a Communist meeting or several Communist meetings? If a member goes to a Communist meeting in the city of Hartford in a public hall and expresses on the floor in that meeting his approval of certain matters that might be under discussion, will he be a Communist or will he have to attend six meetings of the Communist Party before he will be listed as a member of the Communist Party and have his name filed with the Attorney General?

I am not disturbed by the fellow who is interested or dissatisfied with things as they are and thinks that he would like to look at something else and read some Communist literature or who attends a Communist meeting. That sort of individual will be something else tomorrow. The man who is dangerous is the man who wants to conspire with others to overthrow this Government by force and violence. After this bill becomes law that man is not going to be enrolled anywhere as a member of the Communist Party. He will go underground and to that extent will be much more dangerous than he would be if he openly belonged to the Communist Party, incidentally, an organization, as I said on Friday, that is legally recognized in my own State of Connecticut as a political party, and is a party which under our law could elect a governor or President of the United

States if they could get enough votes to do it.

So, Mr. Chairman, I close with this thought, and offer in all sincerity the suggestion that the bill should go back to the committee for further study.

Mr. Chairman, I want to add one further thought. I asked a distinguished Member of the House over the week end, a Member who is an attorney, whether he thought the bill was unconstitutional. He said, "The bill is as unconstitutional as the hot place, but I am going to vote for it anyway because I want to drive the teeth down the throats of the damned Communists." Now you cannot legislate in that frame of mind.

If the committee would agree to support the motion I have offered to strike out the enacting clause, take the bill back to committee and in committee consider the various suggestions that were made during general debate last Friday, I believe they could bring a bill into the next session of Congress that would deal with the Communist problem without taking away from loyal Americans certain constitutional rights.

When such able criminal lawyers and such able prosecutors as the Senator from Michigan [Mr. FERGUSON] and the Governor of New York, Thomas E. Dewey, state unequivocally that the laws now on our statute books are adequate to punish those who would overthrow our Government by force and violence, I for one am willing to accept their opinions.

The Attorney General could proceed at once to try a case under any one of the several statutes cited by Governor Dewey, and if in the trying of the case it developed that additional laws are necessary Congress could immediately provide the remedy.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. RANKIN. The gentleman states that this will drive the Communists underground. Does not the gentleman know that they already are underground and are working overtime?

Mr. MILLER of Connecticut. The dangerous Communist is underground, and under this bill he will stay underground.

Mr. RANKIN. They are underground and they are working in every department of the Government.

Mr. MILLER of Connecticut. This bill will never bring them out in the open.

Mr. NIXON. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, I want by way of introduction to say that I have the greatest respect for the gentleman from Connecticut and for his sincerity in offering this motion. I believe the gentleman after considering the measure has come to the conclusion that the motion should be offered. I believe that the House after careful consideration of this bill during the course of its reading today and tomorrow will come to the conclusion that the fears which the gentleman has expressed as a result of his study to date are for the most part completely unfounded.

This measure strikes, as it should, only at the subversive activities of Communists in the United States and not at

communism as an idea, as the gentleman has indicated he thinks it might.

I believe we should vote down the motion and consider the bill on its merits. I am confident that the House will overwhelmingly approve the bill after it has given it such consideration.

The CHAIRMAN. The question recurs on the motion offered by the gentleman from Connecticut [Mr. MILLER].

The motion was rejected.

Mr. CASE of New Jersey. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of New Jersey:

On page 16, line 25, strike out the comma and insert in lieu thereof a period.

Page 17, strike out lines 1 to 8, both inclusive.

Mr. CASE of New Jersey. Mr. Chairman, before speaking to the amendment, I want, as I did briefly during general debate, to pay my compliments to the committee, particularly to the subcommittee and its able chairman, the gentleman from California [Mr. NIXON] for the job they have done on this bill. The problem is not only difficult, but it also touches the very heart of our fundamental institutions. The problem is to find some way, without destroying our institutions, to prevent them from being destroyed by this movement, which without any question has that for its purpose.

The question is whether our system is strong enough and flexible enough to prevent its destruction by the use of the very freedoms which it alone provides. I believe it is. In its attempt to work out a measure that will accomplish this result, the committee, in my opinion, has done a great job. I for one intend to support the bill and support the committee in the work that it has done.

The particular amendment which I have offered would strike out lines 1 through 8 on page 17. Those lines appear not in the enacting clauses of the bill but in the section dealing with findings. The section dealing with findings sets forth in concise, clear, and accurate language the nature of the movement that we are endeavoring to deal with. In general, it is a fine statement. But, in this particular, it seems to me the language which I would strike out is unnecessary and somewhat weakens the findings themselves. It specifies certain methods which are commonly used by the Communist movement in carrying its objectives in various countries.

The trouble is, first, that by specifying certain methods you create an implication that there are not others, and these are only a few of the methods which the Communist movement uses.

A greater danger, it seems to me, is that there might be some possibility that in the interpretation of the enacting clauses of the bill these particular methods used by the Communists in furthering their ends might possibly be held, in themselves, to be illegal, though employed by persons with quite innocent intent. That is not the intent of the committee, I know, and it is not the intent of the House. We do not want in any way by this bill to prevent anyone

from advocating any good cause, or to make him fearful that his advocacy of it would lead him into a violation of this law. By omitting this language we would strengthen the finding section and would eliminate any possibility of the danger that some people have been concerned about.

I hope the committee will accept this amendment.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield.

Mr. NIXON. I have had occasion, as the gentleman knows, to have submitted this amendment to a majority of the members of the committee. They have approved the amendment for the very good reasons that the gentleman has indicated. I would like to say, as the gentleman has pointed out, this amendment does not weaken the findings. In effect, I believe, it strengthens the findings, because the findings and the necessity of the legislation as they are presently written are written so they apply generally and this brings in specific application of particular acts which I do not think are not consistent with the findings. I believe the amendment is in the nature of a perfecting amendment which will improve the findings and will strengthen the bill and will accomplish the aims which the gentleman so well points out. For that reason, speaking for myself and for a majority of the members of the committee, we will not oppose the amendment as presented by the gentleman from New Jersey.

Mr. CASE of New Jersey. I thank the gentleman and yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. SEELY-BROWN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to ask my distinguished colleague from California [Mr. NIXON] certain questions which are being propounded to me by many sincere and thoughtful constituents of mine who are disturbed over certain of the implications of this particular legislation. I shall ask the three questions and then hope that I shall be able to get an answer in the time which is allotted me. The first question is this:

Is this legislation aimed at destroying the third party?

I ask this question because some of my friends feel that if the Attorney General determines that the third party is a Communist political organization, then every one of the possibly millions of persons who are or may become members of that party will be liable to criminal prosecution.

The second question is: Does the gentleman see any possibility that the effect of this legislation, if it becomes law, may be to drive the Communists underground or to have them change their tactics once more in order to avoid being ensnared by existing law or proposed new laws?

The third question is: Many of my friends have questioned me as to the constitutionality of this legislation on

the ground that it establishes guilt by association.

I would appreciate it if the gentleman could take the time to answer these three questions.

Mr. NIXON. I appreciate the action of the gentleman from Connecticut in presenting these three questions because I realize they are of concern to him as a result of the concern of some of his constituents. I realize also that they are of general interest to other Members of the House.

Answering the first question: Is this legislation aimed at destroying the third party? The answer is emphatically, "No." The charge has been made falsely that under this legislation the third party could be classified as a Communist front organization. All you have to do is to read the bill and you will find that the third party is expressly excluded from the definition of Communist front organizations. We wrote that definition with that in mind. The definition states that a Communist front must be an organization other than an organization having the usual characteristics of a political party.

The question is also raised by the gentleman as to whether there is a possibility that the definition of a Communist political organization might refer to the third party. I will say in answer to that inquiry that the definition of a Communist organization as it is written—and if you will read carefully you will come to this conclusion—applies only to the Communist Party of the United States as it operates today and as it may operate in the future, provided it does not cut its foreign ties. It could not conceivably apply to the third party as the third party is now operating. And in this connection may I say, as far as the third party is concerned and as far as this piece of legislation being directed to the third party is concerned, that probably one of the best things that could happen to the third party or any other so-called liberal organization would be to have this legislation passed so we could spotlight the Communists and drive them into the open so that such organizations could get rid of them and do an honest job in the American fashion.

The last point raised by the gentleman is whether, if this legislation be passed, it may drive the Communists underground. In this connection the contention has been made that if this legislation is passed the Communists have threatened to disobey the law and refuse to comply with its provisions.

My answer is that the Communist Party, for the most part, at the present time, is already underground. So you are begging the question at the very beginning to indicate this will drive them underground. The only question is whether you are going to drive them further underground.

If the Congress of the United States sees an evil, I do not think it should refuse to enact legislation combating that evil merely because a certain organization or a certain group of individuals threatens to disobey the law if it goes on the books. That is one of the good reasons for enacting the law.

The third inquiry is whether or not this legislation might be unconstitutional on the ground it might involve guilt by association. In the minute I have left I cannot adequately discuss the question of the constitutionality of this legislation. I may say, however, that the committee gave this matter very thorough consideration. This bill is legislation in a new field. We have attempted to meet this problem in a constitutional manner, in a sane, moderate fashion.

The gentleman from New York [Mr. KEATING] is going to ask for time in the course of this debate to discuss the constitutional questions, and I trust all Members of the House will listen carefully to his discussion because he has a keen understanding of the problem. He is one of the able members of the Committee on the Judiciary, and he is thoroughly convinced that the measure is constitutional.

I believe that answers all of the questions of the gentleman.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from New York.

Mr. MARCANTONIO. I would like to deal at this time with the first question the gentleman asks. It is significant that the gentleman from California in answering changed the question. The gentleman answered the question as though it were put in the following language: "Does this bill apply to the third party?" That is not the question that the gentleman from Connecticut asked.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. SEELY-BROWN. I yield to the gentleman from California.

Mr. NIXON. I would like to read the question: "Is this legislation aimed at destroying the third party?"

Mr. MARCANTONIO. The question asked was, "Can the Attorney General use this legislation against the third party?" Am I correct in that?

Mr. SEELY-BROWN. I will repeat the question. It is a question that has been asked me by many of my constituents. The question that I asked follows: "Is this legislation aimed at destroying the third party?"

Then I went on to say that I asked this question because some of my friends feel that if the Attorney General determines that the third party is a Communist political organization then possibly millions of persons who are or may become members of that party will be liable to criminal prosecution.

Mr. MARCANTONIO. So that realistically the first part of the gentleman's question is embodied in the latter part. That is the power that this bill confers on the Attorney General and whether he can utilize that power against, specifically, the Wallace third party movement.

Let us deal with that a minute. The only way to answer that question is to look at the definitions in section 3, page 19. We must bear in mind, first of all, the charges that are made against the Wallace third-party movement. It has been repeated time and time and time again by its enemies that the Wallace third-party movement is in the interest of the Soviet Union, that its foreign policy is in accord with that of the Soviet Union. That is the charge that the enemies are making. Assuming that the Attorney General takes that charge and then he applies the loose test, which is one of the dangers of this bill; that is, the broad looseness of the language.

It says, first of all, page 19:

The term "Communist political organization" means any organizations in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of the following considerations.

What are the considerations? They are as broad as the world.

(A) The extent and nature of its activities, including the expression of views and policies.

Incidentally, think of that in connection with the first amendment to the Constitution.

(B) The extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act.

(C) The extent to which its views and policies are the same as those of such foreign government or foreign organization.

Any one of these can be used as the test. Here is another test, and under this test you can take in everybody that advocates any form of public ownership, even the gentleman from Mississippi, who advocates public power.

(D) The extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin.

And public power is a socialist enterprise expounded by Marx and Lenin and Rankin, so that I do not have to continue to read.

It is quite obvious that when an Attorney General, in a period of war hysteria, repeating what the Attorney General did in 1798 in a like period of hysteria, using the Alien and Sedition Act, which also contains practically the same language of this bill—and I have it here; I would like to read that particular section of the Sedition Act of 1798 which the American public found so repugnant that they repealed not only the Alien and Sedition Act but they also repealed the political party that put it in existence.

The Sedition Act of 1798 read in part as follows: "or to aid, encourage or abet any hostile designs of any foreign nation against the United States, and so forth."

Under this loose language the followers of Jefferson, who was establishing a new party based on a foreign policy of peace with Republican France, were thrown

into jail. So too, under the loose language of this bill Wallace's followers can be jailed because of their advocacy of peace with the Soviet Union.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RANKIN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close. We are discussing matters that have not been read, and there will be plenty of opportunity to speak under the 5-minute rule.

Mr. MARCANTONIO. Mr. Chairman, that motion is not debatable.

The CHAIRMAN. The question is on the motion offered by the gentleman from Mississippi.

Mr. MARCANTONIO. You try to close off debate and I will ask for the reading of the engrossed copy of the bill and you will not vote on it today, then.

Mr. RANKIN. We can vote on it tomorrow.

Mr. OWENS. Mr. Chairman, I have an amendment.

Mr. RANKIN. I will withhold it if the gentleman has an amendment. But, I do not care to sit here and hear them discuss parts of the bill that have not been read.

Mr. OWENS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OWENS:

Page 15, line 5, after the word "dictatorial" strike out the words "rather than a democratic."

Page 15, line 12, after the word "in" strike out the words "the destruction of free democratic institutions."

Page 15, line 16, after the letter "a" strike out the words "democratic or."

Mr. OWENS. Mr. Chairman, when I spoke in debate the other day I mentioned that I thought this particular section 2 and section 4 were the strong parts of this bill because in section 2, it described a dictatorial form of government under the control of a foreign nation, describing a world Communist movement, and then set forth in section 4, the fact that anyone who would attempt to establish such a type of government in this Nation would be subject to a penalty of 10 years in jail and a \$10,000 fine. It is my thought, in view of the seriousness of that section, that there should be some change, and one very good change was suggested by the gentleman from New Jersey, and the portion that I am changing is merely perfecting this part so that there will be no misunderstanding whatsoever as to what it means.

For instance, subparagraph (1) reads:

The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial rather than a democratic basis.

The words "rather than a democratic basis" add nothing to the sentence but confusion, because the balance of the paragraph is quite sufficient without the words which I recommend be stricken.

Before I finish my statement about that part, I shall read from paragraph 2, where it states:

The establishment of a totalitarian dictatorship in any country results in the de-

struction of free democratic institutions, the ruthless suppression of all opposition to the party in power.

We leave out the words "the destruction of free democratic institutions," and we have, "The establishment of a totalitarian dictatorship in any country results in the ruthless suppression of all opposition to the party in power."

Then it goes on to say:

The complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democratic or representative form of government.

By leaving out the words "democratic or" we do not change it one bit; in fact, we improve it, because the words "which are characteristic of a representative form of government" are sufficient.

Section 4, article IV, of the Constitution guarantees to every State a republican form of government, which is a representative form of government. In making this statement I do not mean anything from a political standpoint. What I am pointing out is that the democratic form of government means one where every person has a voice in that which is taking place—where they can move as a body. It is social equality as compared with snobbery. Therefore, we do not have an absolute democracy here because the States give the persons the right to participate in the vote, with certain limitations, and it is the perfect right of the States to do that. Therefore, it is not the system that is pointed out in here. By the use of the words "representative form of government" and by the use of the words "dictatorship" and "the ruthless suppression of all opposition," we accomplish everything we desire to accomplish without adding those words which might cause a great deal of confusion when that section is later being interpreted by a court.

I spoke with the gentleman from California [Mr. Nixon] about this the other day and he indicated that they would be willing to accept the changes. I have not heard him say so today, but I think that it would help perfect this section very much. Therefore, I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. OWENS].

The amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, last Friday I spoke upon the floor of the House and I made the charges against this bill that it had key words and phrases which were vague and indefinite as to legal interpretation and as to administrative determination. I gave a list of these vague and indefinite phrases and words, which may be found on page 5873 of the May 14 issue of the RECORD. The vague and indefinite language in the bill will confuse and distract any attorney general who tries to enforce it. He must,

of necessity use his own judgment as to "reasonable conclusions," as to "degree of similarity" between an inspected organization and some Communist or Communist-front organization. In other words, we will force upon the Attorney General the use of judgment rather than the compliance or interpretation of clear and well-defined offenses. We substitute the variable judgment of one man for legal phraseology, which has been given substance and prestige through Supreme Court determination. One of the basic principles of law is that a crime shall be defined in language which is so clear that a common man may understand it, and thereby know when he is complying with the law or when he is in danger of violating the law. The Supreme Court has said in *Connolly* against The General Construction Co.:

That the terms of a penal statute creating a new offense must be sufficiently explicit to inform those who are subject to it what conduct on their part will render them liable to its penalties.

I charge that this bill does not comply with the Supreme Court requirement of clear and definite language when describing offenses against society.

Mr. Chairman, I am sure that many of the Members of the House listened to the debate last night between Governor Dewey, of New York, and ex-Governor Stassen, of Minnesota, both Republican Presidential aspirants. Last night's debate was a demonstration for all the people of America as to the understanding and interpretation of the Mundt bill. Governor Stassen, who seeks to outlaw the Communist Party, and who is very frank and honest in his advocacy of this method of controlling communism, claims that the Mundt bill will outlaw the Communist Party. On the other hand, Governor Dewey, who believes that if you outlaw the Communist Party you will drive it underground and thereby cause it to propagate in secret, conspiratorial manner much faster than if it remains above ground where it is exposed to the pitiless glare of publicity and constant criticism, came out with the very strong statement that the Mundt bill does not outlaw the Communist Party. In my opinion, this was the most important development of the 1-hour debate, which was listened to by millions of American people. Here we have two of our most prominent American citizens, men with legal training, men with governmental administrative experience, men of keen minds and strong intellect, and yet they take a directly opposite position on the interpretation of the Mundt bill. In my opinion, this proves the statement, which I shall continue to make, that the terminology of the Mundt bill is so vague and indefinite that it will open the door to countless interpretations on the part of either congressional committees or upon the part of the enforcement official, the Attorney General of the United States.

Last night's radio debate was a demonstration which the whole American people heard last night. Two men who have been governors of States and who think of themselves as Presidential timber, could not agree upon whether the Mundt

bill outlawed the party or not. Regardless of the facts involved, I am sure of the division that exists in their minds if they are honest, and I do not doubt they are honest.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. JUDD. I think there can be no dispute on this point: The Mundt bill does not outlaw the Communist Party by name, and that is where Governor Dewey placed his emphasis. But it does outlaw the party in fact because it outlaws the kind of activities in which it is engaged. That is where Governor Stassen placed his emphasis. It does not outlaw the Communist Party in name, but, if passed, will outlaw the Communist Party in fact, because it declares illegal and therefore outlaws the sort of activities in which that party is engaged. There was no confusion, I think, except for the public, even as a jury may sometimes be confused by skillful placing of emphasis.

Mr. HOLIFIELD. Mr. Chairman, I am glad to hear the gentleman's explanation of Mr. Stassen's and Mr. Dewey's stands, but I listened to the explanation of the gentlemen themselves last night, and it does not coincide with the gentleman's remarks. The fact remains that there is confusion and misunderstanding between two of the prominent Republican aspirants for the Presidency on what the Mundt bill does. If it does what the gentleman from Minnesota says, in other words, outlaws the Communist Party by indirection, then it is clearly unconstitutional because the Constitution of the United States, or rather some interpretations of the Constitution of the United States, says that you cannot do by indirection what you cannot do directly.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to have the RECORD state clearly that I did not even suggest that this is an attempt to outlaw the Communist Party by indirection. Very properly this bill does not mention any organization by name. It would, I suppose, be class legislation to outlaw a particular organization or group by name. What it outlaws or declares illegal is a certain type of behavior.

The Communist Party itself has announced by its own declarations through many years and by its demonstrations that it carries on or intends at the right moment to carry on that kind of behavior. Therefore, while it does not outlaw the Communist Party by name, the passage of this bill will make illegal the sort of activities which are the essential part of its work and thereby will in effect properly outlaw the Communist Party.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. RANKIN. As a matter of fact, what it does outlaw is a criminal conspiracy against the Government of the United States and against American institutions.

Mr. JUDD. Yes, Governor Dewey in his argument very shrewdly and skillfully quoted Congressman MUNDT and the committee report, for example, as saying that the bill does not outlaw the Com-

munist Party—and it does not outlaw it by name; but it does make illegal and therefore outlaws the activities in which it is engaged, which are designed to overthrow the Government of the United States of America and install one here that will be subservient to the Soviet Union.

Mr. RANKIN. And the conspiracy is directed by a foreign power or a foreign influence?

Mr. JUDD. The language specifically makes illegal such activities.

Mr. RANKIN. That is right.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HOLIFIELD. If that conspiracy does exist, as has been asserted by both gentlemen who have spoken, why do you not go into the courts of the United States under the conspiracy statutes and prove, as a matter of fact rather than as a legislative finding, that such conspiracy exists?

Mr. JUDD. I think the gentleman knows, as was pointed out last night, that there is no statute whereby you can so deal with an organization functioning in the guise of a political party—and the Communists are not as dumb as the German-American Bund was, which called itself bund instead of party and therefore could be so indicted and convicted. They call themselves a political party and are therefore able to claim all the legitimate rights and privileges of a political party; but the activities of that so-called political party here, as in every other country where it operates or has operated, are directed toward the overthrow of the governments that exist, and to destroy the people's freedoms.

Mr. HOLIFIELD. The gentleman has not answered my question, because I asked him if there was not a treasonable act or a conspiratorial act under the Constitution that he could prove it in court. The gentleman admits he is setting up different criteria here for conspiracy, because he is contending that the conspiracy provisions of the Constitution do not apply.

Mr. JUDD. While I am no lawyer, I think the ordinary conspiracy provisions are not adequate for such a case, because these folks are shrewd and clever enough to evade conspiratorial actions, and keep you at the point where you cannot move against them, until they actually blow up the Capitol; until they have actually committed the deed. But we know on the basis of their teachings, their "scriptures," and their secret orders and all sorts of actions already taken in other countries exactly what they are trying to do. It is nothing short of insanity to wait until they do blow up the Capitol before you move to end a situation which allows them to grow to such power with perfect legality and every appearance of propriety.

Mr. HOLIFIELD. I am not quarreling with the gentleman's philosophy at all, but I am objecting to the way you approach the answer to the problem. I am just as anxious to get rid of communism as is the gentleman from Minnesota, but I want to do it in a constitutional way.

Mr. JUDD. I appreciate the gentleman's position. It was the gentleman

from Mississippi [Mr. RANKIN], who brought up the question of conspiracy. If it could have been handled under the conspiracy laws, then why was that not done long ago? I am willing to stand by the carefully worked out language of the bill which describes exactly what kind of activities we are declaring illegal because they threaten the very existence of the United States of America.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. MARCANTONIO. I think what the gentleman overlooks is this, that up to this time our entire judicial process has been based on the proposition of judicial determination of guilt. Here we are substituting for that judicial determination, legislative determination of guilt. That is a tremendous distinction to which I think the gentleman from Minnesota should give adequate thought.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. JUDD. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. I should like to say in answer to the gentleman that the reason why we must, in some degree, change that procedure in such a case is because nation after nation has gone down through trusting judicial procedure in individual incidents rather than legislative determination in advance of what are improper and illegal practices. In each of those countries where Communists could get into the cabinet by political means they took over the ministry of the interior, where they could control the police. Then they took over the ministry of justice whereafter they could easily get decisions which declared guilty those they were against and declared innocent those they were in favor of.

Mr. MARCANTONIO. Then the gentleman should amend the Constitution.

Mr. JUDD. They pose as a bona fide political party and pretend to operate as such until they get into power using the Constitution to destroy the Constitution. That is an intolerable situation. It involves the inherent right of self-defense. As Justice Oliver Wendell Holmes once said, "the right to free speech does not include the right to cry 'Fire' in a crowded theater." To grant them liberties which we know they intend to use to destroy the people's liberties is indefensible.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mrs. NORTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am heartily in favor of what I think is the objective of this bill, to rid America of atheistic communism. I am against the method employed to reach that objective. It is far too dangerous. In our attempt to stamp out communism, we should stop, look, and listen before we adopt something which could be equally dangerous to the protection of our citizens. I do not be-

lieve that there is a Member here who really knows how far-reaching this bill is. I believe it is particularly dangerous to the workers of America. No person can read this bill and not realize that it is directed at labor. Not satisfied with the Taft-Hartley law, the enemies of labor would go a step further and, under the guise of anticommunism, attempt to wreak vengeance on all organized labor.

The great labor organizations of this country are not Communist-controlled. They are alert to the menace of communism and can be depended on to get rid of any communistic influence, whenever it is found within their ranks. They do not need this legislation.

I have very great faith in our democratic form of Government, and I believe my faith is shared by a great majority of our people, but, unfortunately, we spend very little time expressing our faith. We take it for granted that everybody should know we believe in democracy; but do they? Why do we not spend as much time praising our Government as we do denouncing communism? And why do we not do something about what causes the spread of communism? We know that communism flourishes in poverty, in suffering, in bad housing conditions, in hunger, in want. Destroy the cause, and communism will die.

Labor knows, and we should know, that the only time communism will gain strength in America will be when men have not the means to buy food and other necessities to which they are entitled. Let us be realistic about this. Force down the price of food, even if it is necessary to control prices. Report the housing bill which has been locked in committee, while decent men cannot find even a modest home for their families. Report the 75-cent minimum wage bill, the extension of social security, remove ever-present fear from our old people, and there won't be any necessity for controlling communism.

I have given a great deal of thought to this bill, and have discussed it with many of my colleagues. There seems to be some confusion about the Catholic viewpoint on this legislation. The Catholic Church, as we all know, is and has been the greatest force in the world against communism, but that does not mean that the Catholic Church endorses a bill of this kind. However, in order to get the viewpoint of an outstanding leader of Catholic philosophy, I wrote to the Most Reverend Francis J. Haas, bishop of Grand Rapids, Mich., and a former dean of the School of Social Science of the Catholic University of America, for his opinion of this bill, and this morning I received this wire from him, which I shall read:

GRAND RAPIDS, MICH., May 15, 1948.
 MRS. MARY T. NORTON,
 House of Representatives,
 Thirteenth District, New Jersey,
 Washington, D. C.:

In my judgment, H. R. 5852 is potentially destructive of the moral and civil rights of all Americans. As one who believes in the widest measure of individual freedom consistent with the public interest, I beg to register my emphatic opposition to this bill.

Moreover, the bill contradicts itself. While it professes to combat totalitarian dictator-

ship, it gives the Federal Government such arbitrary powers over personal freedom as to make the Government, in effect, a totalitarian dictatorship. It is hard to see how anyone who really believes in private enterprise—unless perhaps he is talking with his tongue in his cheek—can risk giving Government such wide discrimination over individual conduct as does this bill.

Communism is an evil to be removed, but it would be folly to destroy ourselves in removing it. The slower but surer methods of reason and Christian regard for others, rather than a bill such as H. R. 5852, are the instruments best suited to the task of stamping out communism.

Most Rev. FRANCIS J. HAAS,
 Bishop of Grand Rapids.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to propound a question or two to the chairman of the subcommittee in charge of this bill. On page 19, under "Definitions" we read:

The term "Communist political organization" means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of following considerations.

Then under subdivision (D) we read further:

The extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin.

Does that embrace the principles which Marx expounded in his philosophy?

Mr. NIXON. First, let me say that I urge that the entire definition be read carefully, having full consideration for all the elements involved. You will find that the requirements are that it be reasonable to conclude that the organization is under the control of such foreign government or foreign governmental or political organization. Only insofar as the support or advocacy of the principles and tactics of communism as expounded by Marx and Lenin bear upon the conclusion of foreign control do those principles and tactics have any bearing upon whether an organization can be classed as a Communist political organization.

In other words, if you will refer again to the definition you will find that the term "Communist political organization" means any organization in the United States with respect to which, having regard to some or all of the following considerations, it is reasonable to conclude that it is under the control of such foreign government or Communist political organization. In that connection the statement that has been made previously today to the effect that only one of these considerations would be enough to find an organization to be a Communist political organization, and mere coincidence of views between a political organization and the Soviet Union would classify it a Communist political organization, is not borne out at all by the definition because it is essential not simply that one of these elements appear but that sufficient elements appear to justify finding that the organization is under the control of a foreign government or a foreign governmental or political organization.

Mr. SMITH of Ohio. Now let us see where we are. Do the principles which

Marx embodied in his manifesto conflict with the American system of government?

Mr. NIXON. The gentleman's question, I must say first of all, does not relate to the definition. I may say that, as far as the economic system which Marx advocated is concerned, that economic system would be inconsistent with the American system of government as we know it. But I wish to emphasize again that for the purposes of this definition the principles and tactics of Marx and Lenin would have bearing only insofar as adherence to those principles bore upon the conclusion that a political organization in the United States is under the control of a foreign government.

Mr. SMITH of Ohio. That is not what this law says. It says "some or all of the following considerations." It does not say they have to be under foreign control.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Let me see if we cannot proceed methodically and get an answer to this question. Does this embrace the things which Marx advocated in his Communist manifesto?

Mr. NIXON. The answer is the same as I gave the gentleman before.

Mr. SMITH of Ohio. I see I cannot get an answer. Now, the Communist manifesto embodies progressive taxation. The United States adopted progressive taxation in 1913 by amending the Constitution and later making it effective by law. I would like to know how you are going to exclude the Democratic Party and the Republican Party from being classified as a Communist political organization under section 3 of this bill.

Mr. NIXON. Would the gentleman like to have me answer that question now?

Mr. SMITH of Ohio. Yes, I would like to have an answer.

Mr. NIXON. I am glad the gentleman put it exactly that way, because he has put his finger on the nub of the entire problem. Under this definition it is not enough to advocate the theories and principles of Marx and Lenin which relate, for instance, to progressive taxation or public housing or socialized medicine. It is not enough to do that, because this definition is not aimed at, and a reading of the definition will show clearly that it does not strike at, the ideology of communism as such, insofar as it is a domestic ideology without foreign government control. I realize that the gentleman is very sincere in propounding the question, but I must emphasize again that these standards in the definition of a Communist political organization can be taken into account only as they bear upon the conclusion that the organization is under the control of a foreign government or foreign political organization. Only for that purpose can those definitions be taken into account. There

would be no question that the mere fact that an organization advocated progressive taxation, for example, would have no bearing whatever upon the finding that it was under the control of a foreign political or governmental organization.

Mr. SMITH of Ohio. This provision does not include the part which the gentleman mentioned, that it must be under a foreign power. It says specifically: Having regard to some or all of the political considerations.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from New York.

Mr. MARCANTONIO. Furthermore, in connection with the argument the gentleman is making, under this definition they set forth certain standards that are enumerated, beginning with section (A) on page 19 to (J) on page 21, and then they put in these words, "It is reasonable to conclude," "the Attorney General, if he finds that it is reasonable to conclude as a result of finding any one of these standards enumerated," "if he finds that it is reasonable to conclude as a result of any one of the standards enumerated that this party is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives," and under that broad language, Doctor, you can take in even the physicians association, if the Attorney General wants to make that charge against them.

Mr. SMITH of Ohio. In conclusion, Mr. Chairman, may I say that I am confused on several points in this bill. I am wondering whether the authors of this measure thought through all of its provisions and implications.

Mr. COX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think somebody ought to protest the views expressed by the Catholic bishop quoted by the gentleman from New Jersey. I, of course, do not know the bishop, but I believe I know that the views expressed by him are not the views of the Catholic Church. It is inconceivable that a great religious order, headed by one of the great world figures—I think one of the three greatest of all the Popes—that has wrought so nobly in behalf of the preservation of freedom on this earth and that has contributed so much to stopping the spread of communism, would approve the views expressed by this divine.

Mr. RANKIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, there are two or three subjects to which I want to refer.

A while ago the gentleman from New York [Mr. MARCANTONIO] mentioned me in connection with Karl Marx because I have supported the development of the water power of this Nation and the extension of rural electrification. Karl Marx was dead and buried long before Edison developed the use of electricity. Therefore, I am sure he could not have had the TVA in mind when he issued his manifesto.

I also want to reply to some of the other statements that have been made here. I call your attention to the fact that before Germany attacked Russia

the Communists in this country were plotting the overthrow of this Government, and the Black Dragon Society of Japan was operating throughout certain sections of the country and lining up against this country every individual they could induce to join them.

The Black Dragon Society was rampant in the islands of Hawaii. They furnished the spies to direct the Japanese in attacking Pearl Harbor. They ran their cars against the tails of our planes and wrecked them so that the aviators could not leave the ground at a moment when our brave men were dying by the thousands.

That is the kind of element this bill is directed at. It would not have any more effect on Henry Wallace's party than that debate between Stassen and Dewey last night will have on the coming election. It absolutely has nothing to do with the American Labor Party, but it is directed at this foreign conspiracy.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Kentucky.

Mr. CHELF. Any first-grader knows that the Republican Party would be the last party in the world to sponsor a bill that would outlaw the third party and the Wallaceites, because they know that the third party would take more skin off the backs of the Democrats than it would from them in the November election. They would be the last ones to do that. So all of this fear over the so-called third party being outlawed is unfounded.

Mr. RANKIN. The Democrats will be next to the last, because we know that the Wallaceites are hurting the Republican Party, if you want to get down on the low level of politics.

But that is not what is involved here. Let me call your attention to the fact that during the war Earl Browder was head of the Communist Party. He conceived the idea that since Russia was in the war of cooperating with the United States. When the war was over, Duclos, the head of the Communist International in Paris, sent a letter over here removing Earl Browder as head of the Communist Party in this country and put William Z. Foster in his place.

That is the kind of foreign direction that is being carried on by our enemies, not only of America and American institutions but of every Christian church in the world.

They would destroy or close every church on earth, especially every Christian church, and they would wreck free governments throughout the world. That is what they are trying to do in this country.

Mrs. DOUGLAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, "Congress cannot do by indirection what it is expressly forbidden to do by the Constitution"—Dewey.

"The Mundt bill attempts indirectly to outlaw the Communist Party. Congress cannot do this under the Constitution"—Stassen.

"Congress cannot outlaw any political party under the Constitution as now written. Existing law is adequate to fine, indict, and punish actual subver-

sion, conspiracy, and treason as defined by the Constitution"—Dewey.

The Mundt bill sets up new standards for treason.

The main body of the bill would substitute administrative decision for court decision.

The Mundt bill gives the Attorney General the power to stigmatize individuals and organizations without trial for what he thinks they think.

The Mundt bill gives the Attorney General power to declare guilt by association which is antagonistic to all our thinking.

We all know that the quintessence of Americanism is the right to boo the umpire.

The bill has been written to protect us and our way of life against the inroads of an ideology which is abhorrent but the bill is so loosely drawn that it could be interpreted and administered to rob us of the very rights it sets out to protect. It is a bill which threatens the freedom of speech and assembly of all those who would raise their voices in criticism or dissent.

Moreover, the bill will not succeed in its expressed purpose of curbing and stamping out Communism in America. On the contrary, it will make martyrs and heroes out of Communist leaders. For every Communist jailed a hundred will be bred to support him.

We must fight communism in the American way.

We must fight it openly, freely, democratically, at the grass roots.

You cannot jail an idea or hit an idea over the head with a club. Thoughts cannot be circumscribed. And it is dangerous business when the Government decides to prescribe what is safe or not safe for people to think.

Who is to decide? Congress and the Attorney General?

Do we now propose to attempt to invade the mind of the individual citizen?

The argument runs like this: "Extraordinary circumstances warrant extraordinary measures."

It is an old argument. I heard it effectively used in Germany. Its sequel contends: "People cannot govern themselves wisely. They need a leader—a superior being—to think for them and to tell them what they should and should not do."

Are we now, in the fear and hysteria that has been whipped up over communism, to appropriate methods which we despise?

In a democracy the people believe in themselves. They trust their own ability to think through their problems. In a democracy the people hold the power of government. In a vital democracy they will not be stampeded into yielding this power for any reason.

In all forms of totalitarian government the state holds the power. And, unless the people abide by the decisions of the state, they go to jail, or are liquidated.

This is the essential difference between democracy and communism.

The Mundt bill says over and over, I hate communism—I hate communism. I fail to find a balancing declaration in favor of democracy. It is not enough to hate and reject. We must love and be-

lieve. We will not lick communism by merely hating it but by our faith in democracy—in its resilience and its strength. We prove our faith by our daily works.

This bill is a long step toward the very state controls from which it seeks to protect us. The authors of the bill were undoubtedly sincere and earnest in their desire to curb communism in America, but, I repeat, hating alone is not enough.

I remember when I was a little girl our old family doctor said to me, in answer to an expression of hate on my part: "Be careful or your hate will take you over, my child."

Have we talked about Communists so much that we have begun to imitate them?

If we are to combat communism successfully we must believe in democracy enough to live up to its high principles. This often means sacrifice and self-discipline, and a real sense of responsibility to our fellow man with a high regard for his rights at all times, even if we despise what he stands for and what he says.

The Committee on Un-American Activities finds that there is a clear and present danger from Communist activities in this country. I do not believe that our Government is in danger of being taken over by 60,000 American members of the Communist Party. Does anyone in this House seriously believe that we are in such imminent danger?

I do believe that we are in clear and present danger of going broke unless this Congress acts to check inflation which has swallowed up the savings of the American people.

I do believe that this Congress is itself in clear and present danger of spreading communism by failure to act realistically to protect the incomes, the jobs, and the family life of the American people.

The Mundt bill is no substitute for long overdue housing legislation and for desperately needed price controls.

If the chairman of the Banking and Currency Committee would bring to the floor of this House the housing bill which is now locked up in his committee he would make a real contribution to the strengthening of democracy. A house to live in is a better defense against communism than any attempt to rule by terror, such as is contained in this bill.

A liberal program for America is the only logical and realistic weapon in the fight against communism. I am fearful that the Mundt bill would destroy all those truly American liberal forces in this country which provide the most effective bulwark against communism.

In this critical struggle of ideologies which is taking place throughout the world today there is great danger of losing our heads and relying upon destructive and negative tactics which would defeat the very purposes and destroy the very principles which liberals espouse. The Mundt bill is certainly not the answer. It gives weapons to those whom it would defeat.

Clearly and unequivocally the solution to the Communist problem lies in the development of economic and social and political policies which will provide prosperity and peace and freedom to America and the world.

Mr. VURSELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Chairman, for the past 6 years I have supported every effort in an attempt to help hold back the spread of the dangerous and godless ideology of communism throughout this Nation. I rise today in support of H. R. 5852 because I believe it will help to retard the spread of communism and its enactment may enable the Government to stop the growth of communism by making it possible to convict and send to the penitentiary for a term of 10 years leaders of the Communist Party in this country who are, in fact, agents of the Kremlin conspiring to destroy our Government at behest and directions from Moscow.

For 10 years now the House of Representatives, through a standing committee, starting with the Dies committee and continuing up to the present time as an arm of this House, has been investigating and uncovering the Communists in this country whose purpose is to overthrow the Government. This committee, with the support of the Members of this House, has done everything within its power to retard the progress of communism in an effort to protect freedom and representative government here in America. We have met with considerable success. We have at last awakened the American people to the danger of communism.

Mr. Chairman, the great majority of the American people realizing the danger of communism to our form of government want us to step up the fight to destroy this red menace. They would like to have the Communist Party outlawed and barred as a political party from the election ballot. There are those who are opposed to such action in the belief that it is better to keep the known Communists and their activities out in the open rather than to drive them underground. Furthermore, it is difficult under our Constitution to pass such legislation as the facts disclose after a study of the entire problem by committees of Congress.

This bill, H. R. 5852, which we have before us now is thought to be the best approach that can be made to this problem at the present time. It is recommended by J. Edgar Hoover, head of the FBI, who no doubt, is the best authority in America on how to best handle the Communist menace.

The bill provides that all Communists in the United States be compelled to register their names and addresses with the Department of Justice. Those who are members of the Communist Party should be compelled to register so that the Government will know who they are, that the people whom they seek to influence may know they are members of the Communist Party, and that, in fact, being members of the Communist Party here in the United States they are acting under the direction of the Russian Government with its headquarters in Moscow. All other political parties in the United States owe no allegiance to a foreign

country. Their activities and efforts are in what they believe to be in the interests of our own country. Republicans, Democrats, and Socialists all register before they vote. They are proud of the principles of their party. Why should we not compel all Communists to register so we can know who and where they are?

The bill further provides that literature sent out by the Communist Party must bear the name of the party. This is to prevent Communists from propagandizing through the mail under organization names like Youth for Democracy, the Abraham Lincoln League, and various other misleading names of organizations which appear to be thoroughly American, yet are used only as a front for the propagation of communistic ideas in the hope of influencing the people in that direction.

Mr. Chairman, this bill outlaws any conspiracy to overthrow the American form of government for the purpose of establishing herein a totalitarian regime dominated by a foreign power. If this bill finally becomes law, Communist leaders who engage in that kind of conspiracy will be subject to a 10-year sentence in the penitentiary and a \$10,000 fine.

This would apply to the German-American Bund, or any organization seeking to overthrow this Government and establish a totalitarian form of government here in America. This is exactly what the Communist Party has been seeking to do. It classifies the Communist leaders, in fact, in the category of treasonable action to this Government.

If this law is passed by the Congress and signed by the President, for the first time it will put our Government in a position to cope with the brazen Communist leaders who for the past number of years have delighted in trying to organize the people into a party which would destroy private enterprise, the freedom and liberty of the people, and subordinate this Government to the control of the parent communism of Russia.

The bill would prohibit any member of the Communist Party from holding a position of trust in the Federal Government, and that is as it should be. No man or woman is entitled to hold a position and draw a salary from the very Government it seeks to undermine and overthrow.

Furthermore, it requires Communist-fronted organizations to register the names of the organizations, their officers, and their financial statements with the Department of Justice. It compels them to keep in their own files the names and correct addresses of their members.

If the Communist Party in America operates as a strictly American organization, its members will not be penalized by law; but if they operate as a secret agent of a foreign power, they must suffer the consequences set up in this bill.

While this legislation does not outlaw the Communist Party as an organization, it does force them to operate in the open and it makes unlawful activities on the part of anybody who conspires for the purpose of overthrowing this Government or in an attempt to establish

here a totalitarian regime subservient to any foreign government.

Mr. HESELTON. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Chairman, I know there are many of my colleagues on this floor today who, like myself, hate communism and all it stands for but who are seriously concerned as to the results this bill may bring about.

I have studied the bill carefully since it has been available. I have read the hearings and the committee report thoroughly. I have refreshed my memory as to the principles and the court decisions so far as constitutional law is concerned. I have examined the brief and the cases cited which was prepared in the Federal Law Section of the Legislative Reference Service. I make no pretense of being a constitutional lawyer, but I have found portions of this bill which, in my honest judgment, unless they are eliminated or radically amended, will be found unconstitutional by the Supreme Court, should it become law.

I do not have the time at this point to discuss all the phases of the bill which I think raise a question of constitutionality, but I would like to address myself briefly to one portion of the bill which I think, not only in terms of its constitutionality but in terms of its possible wisdom, is most important for us to consider carefully before we vote on this legislation. I refer to section 3, insofar as it attempts to set up a control over what are termed Communist-front organizations. Certainly, the committee itself has well recognized the distinction between the Communist Party and the Communist political organization, and all that they seek to accomplish in this country, and these other voluntary organizations of good American citizens who might be brought within the scope of the legislation under the definition of Communist-front organizations.

Because I was concerned, I took the liberty of getting in touch with some of the best constitutional lawyers in this country, people in whom I am sure you would have complete confidence.

Up to this moment each has advised me of their opinion that certain parts of the bill before us are unconstitutional.

I want to present to you portions of one of the replies I received. I do not have express permission to disclose the name of the person who has written to me, but I do guarantee to you that you would recognize him as one of the outstanding constitutional lawyers of this country. I wish very much that we might have the benefit of the opinions and recommendations of the many able constitutional authorities after their study of this specific bill, but since we are not to have those opinions and recommendations, it occurred to me that I might raise this question in the hope that the gentleman from New York [Mr. KEATING] who kindly consented to look at this

letter, might be willing to discuss it in the course of his remarks.

This gentleman writes to me:

It is my impression that the definition of a "Communist-front organization" in section 3 (4) is by itself too indefinite to be an acceptable basis for a criminal prosecution.

Under the Thornhill case, I think it is, acts which may constitutionally be made criminal under a sufficiently narrow, definite statutory statement may still be immune from punishment under a statute couched in such broad and vague terms that it includes within its net acts constitutionally immune from punishment. A statute may not so combine the good and the bad as to serve in terrorism to deter people from indulging in conduct in which they have a constitutional right to engage. Such an intermingling is not cured by any separability clause.

This brings us to the question whether this vice in the statutory definition, considered a part from other provisions, can be regarded as cured by the provisions with respect to registration. If no duty to register were imposed until after there had been a determination by the Attorney General under section 13, subject to the judicial review provided in section 14, it might be urged with some force that the fault of the indefiniteness in the statutory loose language would be condoned by the ultimate judicial determination that the organization comes within the statute. There would, however, remain the issue of whether the statute itself is sufficiently specific for the guidance of the Attorney General and the courts.

Of course, party members and fellow travelers will try to horn in on all possible organizations striving to improve the lot of the poor and the oppressed and other organizations of persons dissatisfied with things as they are and urging change; but this should by no means determine the character of the organization thus invaded.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HESELTON. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. And finally with reference to another feature of the proposed legislation he writes:

I am by no means certain that no duty to register is imposed until the Attorney General takes the initiative and an order by him is affirmed by the court. It looks as though section 8 imposes the duty to register, etc., on organizations defined or ill-defined in section 3 (4) and that section 15 penalizes failure so to do by any organization later found in criminal proceeding to be such a one as is contemplated or adumbrated in section 3 (4). This, if correct, would in my judgment clearly render the nonspecification of Communist-front organizations void for indefiniteness. Penalizing of nonaction differs from penalizing conduct. This provision smacks of compulsory confession by men who think that they are not guilty.

Those are the clear warnings I think we should all consider in arriving at the conclusion we must individually make on this legislation after it has been amended. I believe that some of the amendments already offered and adopted have distinctly improved the bill. It remains to be seen whether the other objections that have been forcibly ex-

pressed by competent constitutional authorities can be overcome. I have tried to devise a means of doing that but I have reached the conclusion again and again that the only method would be by striking out section 3 (4) and (5) and the portions of section 8 dealing with this subject. I understand others are working on the problem. Perhaps an alternative, eliminating any unconstitutional matter can be presented.

In any event, I hope that those who believe these particular provisions to be constitutional will give us the benefit of their reasoning. Before many hours each of us will be required to form our individual judgment to the best of our ability in the discharge of our grave responsibility to uphold and defend the Constitution. We are not confronted frequently with the problem of constitutionality. But, in this instance, the committee has raised and discussed it and, whatever opinion may be held, I think everyone will admit that it is involved and must be decided.

Mr. HAND. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is because I do so intensely hate communism and any form of totalitarianism that I am concerned about the present bill, and concerned about some of the thoughts which have been advanced here today. For example, one of our colleagues, in speaking of the bill, said this bill does not prevent the advocacy of anything which is good. But I call to your attention a fact that we must all agree on, and that is the glory and the strength of our institutions in America is the protection of those who wish to advocate something which the majority thinks is bad. Americans have a constitutional right to be in the minority, and to advocate things which the majority does not approve. And who is to determine what is good and what is bad?

A gentleman said in discussing this bill that too many countries have fallen by the wayside because they have trusted in the judicial processes. It seems to me if we have come to the point where we are going to stop trusting the judicial processes, we are losing everything which we are trying by this bill to defend.

If liberty is to mean anything, if freedom of speech is to mean anything, it means freedom to disagree with the majority; the freedom of our opponents to speak for those things which you and I may think are evil.

I call attention to the fact that in this House the gentleman from New York [Mr. MARCANTONIO], with whose philosophy very few of us agree, who is in a minority of 2 out of 435 Representatives, is, nevertheless, accorded every privilege. The glory and strength of this House is that every right that any man in this House has, is freely and generously accorded to the gentleman from New York even though the rest of us violently disagree with what he says.

I hope we do not destroy what we are trying in this bill to defend. Incidentally, I think the committee has been very careful with this bill. It might have gone very much further than it did. But the bill still leaves many of us in

grave doubt and I trust further amendments may be adopted by the committee which will resolve some of those doubts in the course of this debate.

Let us all, throughout this debate, remember and keep remembering the deathless, immortal statement of that great Frenchman, Voltaire, who said in effect: "I disagree with everything you have to say but I will fight to the death for your right to say it."

Mr. Chairman, that is liberty; that is freedom; that is Americanism.

Mr. CELLER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I congratulate the last gentleman who has addressed us, as I do numerous others of the Members on the Republican side of the aisle who refuse to be swept off their feet, as it were, because of the mass Red hysteria that seems to be besetting the Nation. I listened intently to the debate last night over the radio between two distinguished citizens of the United States, one of them having served as governor of a great State and one still governor of a great State, and I could not help but come to the conclusion that these men, reasonable creatures indeed, men of rare intelligence, could not even understand what the terms of this current bill were. One gentleman said that the bill outlawed the Communist Party; the other gentleman said that the bill does not outlaw the Communist Party. If two important contenders for the Republican Presidential nomination cannot agree as to the bill's terms there must be something drastically wrong with it. This bill struck consternation, confusion, and conflict in the minds not only of Governors Stassen and Dewey, but of the American people. Surely if they could not agree as to what the terms meant, what can you expect from us poor mortals in this House? Certainly we cannot agree as to what the terms mean either. The words may seem quite innocent, and as you read section 3, pages 19, 20, and following, you might get the impression that those words are effective and constitutional; but the application of those words can be mightily dangerous and unconstitutional and the repercussions most severe and Draconian. Examine them carefully, and you will see how fraught with evil they may be in their application. The organization under attack need have one or more of the criteria mentioned in section 3. One of the criteria is as follows, and this is found on lines 22 and 23 on page 19:

(A) The extent and nature of its activities, including the expression of views and policies.

Then turning over to page 20:

(C) The extent to which its views and policies are the same as those of such foreign government or foreign organization.

Now, you may have a group of well-intentioned, well-meaning men and women who might call themselves the adherents to the doctrines expounded by Emerson, Thoreau, and Hawthorne. Those revered gentlemen believed in economic communes. Or you might have a group of well-intentioned, well-meaning men and women who believe in the na-

tionalization of our basic industries, and they might call themselves the American sympathizers of the British Labor Party. Mind you, they are thoroughgoing Americans. Yet, under these dangerous criteria, those innocent men and women might be charged with a violation of this act. The latter group might run afoul of this bill since their views are those expounded by a foreign government, the British Labor government.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman expresses doubt as to the provisions of this bill, or some of them. Do I understand from the gentleman's statement that he is against the attempt to do anything with this matter at this time?

Mr. CELLER. I am perfectly agreeable to do something that might contain or that might scotch communism, if you can do it, but it is mighty difficult, if not impossible, to do sans a constitutional amendment.

Mr. HALLECK. I recognize that, and the gentleman is a good lawyer, and an able Member of this House, and I trust that he will not do as some who agree with the objectives, who say that something needs to be done but then resolutely oppose every attempt to do anything. I would appreciate it if the gentleman's position would be such that he would apply his great talents to our assistance in the enactment of effective and decent constitutional legislation.

Mr. CELLER. I will say to the gentleman that what he seeks to do just cannot be done without changing our basic constitutional fabric. It is not in the cards, because legislation of this character and stamp seeks to lay the entire Nation over a Procrustean bed of conformity—a conformity that unfortunately would be dictated in the narrow minds, the proscriptive minds, of the members of the Un-American Activities Committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Such conformity is contrary to the tenets of our Bill of Rights which provides for free speech and free expression of opinion, the erection of political parties, and so forth. This type of legislation, or any attempt that the gentleman has in mind, would be equivalent to setting up an iron curtain against ideas and the free current thereof, an iron curtain that would hamper if not prevent the formation and operation of political parties. Russia has iron curtains. You do not want iron curtains. We inveigh against Russia because it has erected an iron curtain, and we do not want that in a democracy.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield.

Mr. HALLECK. I can only conclude from the gentleman's response that he is

against any effort to try to deal with this problem here at this time.

Mr. CELLER. Oh, no. The only way that you can deal with this problem adequately and properly, and the only way you can get an antidote against the virus of communism, aside from a constitutional amendment, is not by repression or coercion or punishment of this character, but by better health, and housing, and higher standards of living; no slums, no rat-infested rookeries, either in Tobacco Road or in congested areas; no second-class citizens, no harsh and violent discrimination on religious or racial grounds in employment, in education, or in economic opportunity; no poll taxes, no lynchings, no inflationary prices for food, shelter, and clothing; no fear of the havoc of war. That is how to remove the causes of discontent. That is how to destroy communism. It may be a slow process, but it is a sure process. This type of legislation makes for martyrs and makes the victims of the bill heroes. You dramatize the importance of Communists far beyond what they are entitled to, and you make subjects of the law's cruelty and the ideology that they enhance far too attractive; attractive to the youth, unfortunately, of this land. If you go into the campuses of the Nation you find so many young ladies and young men who are adherents to neocommunist. These youths are attracted to communism and neocommunist because the Un-American Activities Committee places a halo in effect around Communists and fellow travelers.

This bill's proponents argue that they do not wish to deny Communists and fellow travelers and members of front organizations political freedom. All they do they say is punish them by denying the exercise of their political freedom. They are to be deprived of passports, threatened with loss of citizenship, forced to suffer contumely and humiliation by being blacklisted, endangered in their attempts at earning a living.

These threats of sanctions will not lessen communism. Communists and their sympathizers will simply do covertly what they dare not do overtly. They presently act in semisecrecy. They will scatter themselves and seek the shadows.

To the members of the Un-American Activities Committee their silhouettes outlined in semidarkness will seem more menacing. More and more panic will possess these members.

In certain benighted lands one is made guilty by association. Such guilt is foreign to us.

The bill says willy-nilly, communism is directed by the Kremlin. That's that. There is no gainsaying it. Therefore, those individuals who knowingly and willfully participate in the Communist movement must be punished.

Some Communist leaders may take orders from Moscow. I cannot say. But many do not. Many followers of the Red Party have no liaison with Moscow. They may be sincere believers in the ideology of communism, with no connection with Communist leaders. Yet they are in the movement. The bill would by just such slight association penalize

thousands. There are many Utopian Communists—theoretical Communists, who detect the Russian perversion of their ideals. Yet they run afoul of this bill.

I loathe communism as much as any Member in this House, but I lack the fear complexes that seem to possess some of the Members.

As far as I can recall, Communists never polled more than 50,000 votes. If that number were doubled or tripled what would that mean in a Nation of 144 million? Do we so lack faith in our democratic institutions that we fear the presence of a comparatively few Communists could destroy that democracy? I have far greater faith in our democracy than do the proponents of this bill.

Go through the vast reams of testimony. I have yet to find a single overt act that threatened the destruction of our Government.

Overshadowing all these arguments, however, is the danger that the Un-American Activities Committee and the proponents of this bill would force our citizens to think and act as they want and dictate.

The Supreme Court has stated in the case of the *Board of Education v. Barnette* (319 U. S. 624, 642):

If there is any fixed star in our constitutional constellation it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein. If there are any circumstances which permit an exception they do not now occur to us.

Cast your eye backward along the pages of our history and you will see that most of our men whom we deemed great refused to conform to the status quo. To men like those who now constitute the Un-American Activities Committee, Jefferson, Emerson, Thoreau, Jackson, Cleveland, and F. D. Roosevelt would have been rebels if not un-American. They were constantly protesting against that which was deemed orthodox. By these words, I do not mean I support communism. I fight for liberalism and the right to criticize and examine, a right which this bill infringes.

Finally, the Attorney General, by this bill, can set the time and place of a hearing to determine whether there is guilt by endeavor or association. There is no trial in the real sense of the word. The hearing, being administrative, is without jury, the ordinary rules of evidence do not apply. The investigation, prosecution, and judgment are all combined in the office of the Attorney General. There is no rule of establishing guilt beyond a reasonable doubt as is the case in all criminal procedure. The Attorney General's findings can be appealed to the court of appeals for the District of Columbia, but that review is on the record made before the Attorney General. The findings of fact in the record are conclusive if supported by substantial evidence. In weighing the evidence the court must give great weight to the conclusions and inferences of the Attorney General. The presumption of guilt prevails in the appellate court once the Attorney General determines it is so.

There is no trial on the merits in a court before a jury. This is drastic and novel procedure, especially when one considers that penalties are \$10,000 fine, imprisonment for 10 years, or both.

Finally the bill is as sadly mistaken as the infamous Alien and Sedition Acts of 1798. Mr. Justice Holmes denounced the underlying purpose of those acts—as he would express abhorrence at the pending bill were he alive today—in his classic opinion in the *Abrams* case, as follows:

Persecution for the expression of opinions seems to me perfectly logical. If you have no doubt of your premises or your power and want a certain result with all your heart you naturally express your wishes in law and sweep away all opposition. To allow opposition by speech seems to indicate . . . that you doubt either your power or your premises.

But when men have realized that time has upset many fighting faiths, they may come to believe . . . that the ultimate good desired is better reached by free trade in ideas. . . . the power of the thought to get itself accepted in the competition of the market. . . . That, at any rate, is the theory of our Constitution.

Mr. MITCHELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened with a great deal of interest to the debate on the floor of the House regarding this bill. I listened last night to the debate that has been referred to here so many times today. I have leaned favorably toward this bill, but I always like to analyze legislation further and listen to this very able House thrash it around a little before I make a final decision.

However, I have received today numerous telegrams from my district from certain labor leaders. I believe they have helped me make up my mind on this bill. I have here a telegram signed by Albert J. Eberhard, president of Local 813, UE-CIO, in Evansville, Ind. He states:

I am instructed by the Local, 813, UE-CIO, to register its protest against Mundt bill, H. R. 5852, and to demand you to take action to stop its passage. Purportedly against totalitarianism, this bill would give to one man power to break strikes. Deny freedom of speech, press, assembly, and religious worship, and to jail any person with whom he disagreed. Such Fascist legislation has no place in a democracy.

Mr. Chairman, I know this fellow, Albert J. Eberhard. He was rammed down the throats of the members of local 813 by Bill Sentner, of St. Louis, who is an avowed Communist. He was rammed down to follow his boy Charlie Wright. They are both "pinkos" from way back. Mr. Eberhard has the guts to tell me in a telegram "I am instructed by the membership," but I will give you 8 to 5 that not 5 percent of the membership instructed him to do anything; 95 percent want him to get out or sign the anti-Communist waiver that is provided for in the Taft-Hartley Act so that they, the good American members of this union, will have proper representation before the National Labor Relations Board. The leadership have not signed it because they are Communists; 99 percent of the members of local 813 in Evansville, Ind., are good, honest, patriotic, God-fearing citizens who have had this man shoved

down their throats. He should resign for the good of Local 813, UE-CIO.

I am glad Mr. Eberhard has helped me make up my mind. My answer to him is that he can go to hell. I am going to vote for this bill.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, some entirely sincere people, as well as large numbers from insincere and improper motives, contend that we should not try to deal with the Communist menace in this country by legislation because of the grave constitutional issues involved. Admittedly, it is not easy to frame a measure which will have meaning and be effective and still not violate constitutional guaranties. I share emphatically the view that we must not adopt totalitarian methods of those that condemn to gain a short cut to even a laudable objective. I am also, however, completely convinced that the Constitution of the United States does not prohibit us from passing a law to protect our Nation against those who would use the liberties guaranteed by our Constitution to destroy it.

It is not enough for the opponents of this measure to cry in generalities, "It is unconstitutional—it violates the Bill of Rights." They must point to the precise provisions of the Constitution which they claim to be violated by its terms. If pinned down—a position which is always particularly distasteful to those who prefer loudness to logic—the proponents of legislative inaction on this subject, so far as I am aware, refer solely to the first and fifth amendments to the Constitution as a basis for argument against the passage of this bill. Let us examine these claims separately.

First, it is contended freedom of speech and of the press guaranteed by the first amendment is restricted by this measure.

No doubt, its effect will be to curtail both, insofar as, by words or writings, attempt is made to establish in this country a totalitarian dictatorship subject to the domination of a foreign power. It is, however, well recognized in a long line of decisions that freedom of speech and of the press does not mean unbridled license to preach or publish any doctrine or contention, no matter how vicious, harmful, or subversive. These freedoms can and frequently have been held properly to be curtailed where there is "a clear and present danger" which the Government seeks to meet.

Thus, Mr. Justice Holmes said in *Schenck against United States*:

We admit that in many places and in ordinary times the defendants in saying all that was said in the circular would have been within their constitutional rights. But the character of every act depends upon the circumstances in which it is done. The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic. The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.

In *Okamoto v. U. S.* ((C. C. A. 10, 1945) 152 F. 905) a decision by the Circuit Court of Appeals sitting in the city from which hails the gentleman from

New York [Mr. MARCANTONIO], who spearheads the opposition to this measure, the court had this to say:

Freedom of speech, freedom of the press, and freedom of assembly guaranteed by the first amendment are fundamental rights. But, though fundamental, they are not in their nature absolute. These rights are not unbridled license to speak, publish, or assemble without any responsibility whatever. Their exercise is subject to reasonable restriction required in order to protect the Government from destruction or serious injury. The delicate and difficult question usually presented is whether speech, press, and assembly are of such nature as would produce, or are calculated to produce, a clear, present, and imminent danger of a substantial evil which Congress has the constitutional power to prevent.

There is no doubt in my mind that the measure before us sets out the facts and circumstances indicating the seriousness and immediacy of the danger sought to be repelled.

Abundant evidence has been produced to support the findings in this bill. One need go no farther than to read the testimony of Hon. J. Edgar Hoover, which appears at pages 35, 36, and 43 of the House hearings on H. R. 1884 and H. R. 2122, Eightieth Congress, first session, 1947, to realize the extent to which our country faces a "clear and present danger."

This widely respected and admired public servant testified, out of the abundance of his experience and breadth of his knowledge, that the Communist Party in the United States is dedicated to force and violence, if necessary, for the overthrow of the United States Government; that the party maintains as a fundamental principle support of Soviet Russia, as is daily evidenced by the mouthings of its adherents; and that the "Communist Party of the United States is a fifth column if there ever was one" and is "far better organized than were the Nazis in occupied countries prior to their capitulation."

This is no time for complacency. This is no time to minimize the danger which faces our Nation and everything we hold most dear. It was only a short time ago that our neighbor on the north, the Dominion of Canada went through an experience, happily without too serious consequences, which should serve as a lesson to us that a danger does exist, that we must remain on the alert.

Even more recently we have witnessed on the European continent one country after another engulfed not by force of arms but through the subversive tactics of a tiny minority operating under the direction of a shrewd, ruthless, totalitarian dictatorship probably unequaled in resourcefulness and unprincipled cunning in all recorded history.

In my study of this problem I asked the Coordinator of Information of the House of Representatives to inform me regarding the number of actual Communist Party members in the various European countries and the percentage which they bore to the total population. These figures are extremely revealing. In Italy, for instance, where the recent elections reveal that nearly one-third of the people voted for a totalitarian regime, the actual Communist Party members are

said to be 2,000,000 or about 4 percent of the population. In Poland, where the lights of freedom have been extinguished, only 2 percent are said to be actual members of the party. In Rumania, 3 percent; in Hungary, 7 percent; in Yugoslavia, 11 percent; in Czechoslovakia, 11 percent; in Bulgaria, 12 percent; and in the Soviet Union it is only 3 percent or 6,000,000 souls.

In the face of the overwhelming testimony presented in public hearings and in the light of the experience of other countries which have at times scoffed at the seriousness of the communistic threat, only to wake up too late, the existence of a "clear and present danger," amply sufficient to sustain this legislation, appears to me to be established beyond reasonable opposition.

Prof. Zachariah Chaffee, Jr., of Harvard Law School, a well-known liberal, recognizes in his Free Speech in the United States, 1941, at page 31, that despite the first amendment, there are purposes of government, such as order and protection against aggression, which must be balanced against the right of unlimited discussion interfering with these functions.

As was said in *United Public Workers v. Mitchell* (1947) 330 U. S. 75-95:

The essential rights of the first amendment in some instances are subject to the elemental need for order without which the guaranties of civil rights to others would be a mockery.

The argument that a bill such as this invades the private or personal rights of anyone is well answered by the statement of the Court in *U. S. v. Josephson*—a name well known in this body—((C. C. A. 2d) (1947), 165 Fed. (2d) 82, certiorari denied (1948) 16 L. W. 3253), where it was said:

If . . . propaganda takes the form of, for example, advocacy of the overthrow of the Government by violence, it is rightfully called "Un-American" and a sensible regard for the self-preservation of the Nation may well require its investigation, with a view to the enactment of whatever remedial legislation may be needed or to the amendment thereof. One need only recall the activities of the so-called fifth columns in various countries both before and during the late war to realize that the United States should be alert to discover and deal with the seeds of revolution within itself. And if there be any doubts on the score of the power and duty of the Government and Congress to do so, they may be resolved when it is remembered that one of the very purposes of the Constitution itself was to protect the country against danger from within as well as from without. See *The Federalist*, Nos. II-X. Surely, matters which potentially affect the very survival of our Government are by no means the purely personal concern of anyone.

It is also contended that this measure does violence to the fifth amendment, providing that no one shall be deprived of his liberty without due process of law. It is well settled that a criminal statute, such as the one before us can in part be properly described, must define the offense with such definiteness that it is not necessary to indulge in speculation to determine whether the acts committed by an accused constitute the crime under prosecution. Otherwise the

statute is subject to successful constitutional challenge under the fifth amendment.

Offenses in this bill to which criminal penalties attach fall into two general categories. First are the directly prohibited acts set forth in section 4, all having to do with attempting or participating or conspiring to establish in the United States a totalitarian dictatorship, the direction and control of which is under the domination of a foreign government, organization, or individual. I have heard no objection to this section on the ground that it did not clearly state the acts which would constitute the offense.

Then there are other penal provisions relating to failure to register, application for passport, or application for Federal employment, which fall in a separate category. The Communist political organization, its officers and members must register as to the "Communist-front organization," only registration of the organization itself and its officers is required. The members are not subject to the provisions of this law. In each case, viz.: The employment provision—section 6—the passport provision—section 7—and the registration provision—section 10—a necessary element of the illegal action is that one, in order to run afoul of the law, must be a member of a Communist political organization, not a front, "knowing or believing or having reasonable grounds for knowing or believing that the organization is a Communist political organization."

I am reliably informed that the committee will offer an amendment to all three of these sections to strike out the words "or believing, or having reasonable grounds for knowing or believing," the effect of which will be to provide that conviction can only follow if one becomes or remains a member of a Communist political organization with actual knowledge that it is such. This amendment will, in my judgment, greatly improve these sections and provide beyond peradventure of a doubt that no injustice may result to an innocent party.

It is then contended, however, that the definition of a Communist political organization contained in subsection (3) of section 3, beginning at page 19 of the bill, is not sufficiently definite to permit one to know whether or not a particular political organization is or is not Communist in character. Much has been made of the fact that various political parties might fall within one or more of the provisions lettered (A) to (J) inclusive, appearing on pages 19 to 21. Although, so far as I know, no single one of those considerations applies to any party in this country except the one which calls itself the Communist Party, it is important to note that all of these paragraphs are but introductory to the single test, the ultimate determination: Is the conclusion reasonable that the organization is under the control or domination of a foreign government or foreign political organization?

Here again this legislation has been immeasurably improved by the willingness of the committee to accept an amendment to strike out on page 21 the

alternative provision which would permit a determination that a political organization was Communist to be based upon a finding that it was one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives. This might be subject to abuse in that it is conceivable, although admittedly unlikely, that a political body might be a pawn in the hands of the world Communist movement without its actual knowledge or consent. By the elimination of this second ultimate test, however, the issue is clarified and there should be no difficulty by reason of indefiniteness in proving whether the organization is "under the control of a foreign government." When the smoke and fog are cleared away that is the sole question.

It is here that communism as a political, economic, and social theory parts company with communism as a part of a worldwide conspiracy to subject this country to the domination of a foreign power. It is only the latter inhibited by this law.

The proposed statute is not open to the challenge that it uses indefinite terms such as the word "gang," criticized in one decision, about the meaning of which a person is required to speculate. The meaning of the phrase "Communist political organization" is here defined with clarity and, I believe, accuracy.

Since the fourteenth amendment to the Constitution prohibits a State not only from depriving a person of life, liberty, or property without due process of law, but also denying to any person the equal protection of the laws, it has been held that a denial of the equal protection of the laws by a Federal statute would be inhibited by the fifth amendment. In other words, although not expressly prohibited, it is to be considered implied. Therefore, the contention has been advanced that requirement of registration and the filing of annual reports by Communist organizations does violence to the due-process clause contained in the fifth amendment in that it is such an unreasonable discrimination as is condemned by the equal-protection doctrine.

This same argument was raised against the New York statute which required the Ku Klux Klan to register in that State. A prosecution was brought against one who remained a member of that group, knowing that it had failed to comply with the registration requirements. The registration provisions of the measure before us follow closely the language of those set forth in the Supreme Court opinion in the Ku Klux Klan case known as *Bryant v. Zimmerman* (278 U. S. 60). Just as the Communists argue here that they should not be singled out for discriminatory treatment any more than the Democrats, the Republicans, or the Wallaceites, so in this case the defendant argued that the statute discriminated against the acts of the Ku Klux Klan when it should equally apply to labor unions, the Masonic fraternity, the Odd Fellows, the Grand Army of the Republic, and the Knights of Columbus. The Court, however, had little difficulty in reaching the conclusion that the classification was justified by radical differences between the Ku Klux Klan on the

one hand and the other classes of associations on the other hand. No greater difficulty will be encountered in distinguishing between that party, on the one hand, which seeks to serve a foreign master and those others which, however they may differ among themselves, yield their allegiance solely to the United States of America.

One case advanced by the opponents of this measure is *Thomas v. Collins* ((1944) 323 U. S. 516). It is true that the Supreme Court said in this case with respect to a speech by a union organizer, that one who is "required to register as a condition of his right to make a public speech to enlist support for a lawful order" is deprived of his rights under the first amendment. The Court, however, expressly based its decision on the premise that "lawful public assemblies, involving no element of grave and immediate danger which an existing state is entitled to protect, are not instruments of harm which require previous identification of the speakers."

In other words, the very basis of the decision was the absence of a "clear and present danger." In this case the Court referred to *Bryant* against *Zimmerman*, distinguished it, but did not overrule it or question its authority as a sound expression of the Court's present view of the law on this subject.

Perhaps a word should be added regarding section 5 relating to loss of United States citizenship. Citizenship is a political status which may be defined and its privileges limited by Congress. A person has the right to expatriate himself voluntarily. Likewise Congress has the power to say what acts shall expatriate a citizen. Citizenship acquired either by birth or naturalization may be lost by expatriation.

In *McKenzie v. Hare* ((1915), 239 U. S. 299), the argument was made that Congress could not by legislation provide that certain acts by a natural born citizen amounted to expatriation, in this case marriage to a foreigner. The Supreme Court denied this contention, pointing out that the United States as a sovereign may impose conditions for the maintenance of citizenship and provide that certain situations voluntarily entered into, with notice of the consequences, may deprive one of such citizenship.

In conclusion, therefore, although I recognize the constitutional as well as the practical difficulties which have been encountered by the framers of this legislation, I feel confident that it is the most sensible and rational approach as yet suggested to deal with an extremely serious problem which affects the liberty and security of every man, woman, and child in the country.

Great care, I know, has been taken by the chairman of this subcommittee, the gentleman from California [Mr. Nixon] and by his advisers, in the drafting of this legislation, to insure that no constitutional guaranty of any citizen is infringed. In my opinion success has been achieved in keeping within the four walls of the Constitution. In my judgment this legislation will be still further improved by the amendments which, I understand, are acceptable to the commit-

tee. When perfected, the bill should meet every constitutional test.

The CHAIRMAN. The time of the gentleman from New York has expired. Mr. NIXON. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COUDERT. I have listened to the gentleman's exposition of the cases with some interest. I would like to ask the gentleman if he agrees that by virtue of the provisions of section 4 it would become a criminal act if any one of us at a public meeting, or with two people before us, should propose a constitutional amendment, and to publish that fact in the press—an amendment for the purpose of carrying out the prohibition contained in section 4 of the act.

Mr. KEATING. The proposal of a constitutional amendment would not be an act, in my judgment, which is prohibited by this section.

Mr. COUDERT. Will the gentleman yield further?

Mr. KEATING. I yield briefly.

Mr. COUDERT. In the first paragraph of section 4 the prohibition is against "in any manner." "Any manner" includes legitimate, constitutional methods of operation. So that a constitutional amendment is an "in any manner" act. So that the bill would prohibit any citizen from proposing, if he were then fool enough to do so, the establishment of a totalitarian dictatorship by constitutional amendment, with the reporters in the room, aboveboard and frankly. Does the gentleman agree?

Mr. KEATING. I will say to the gentleman that I have not given thought to that precise question. If there is a remote possibility that this section might be construed in the way suggested, which I doubt, perhaps it should be clarified by an appropriate amendment. It strikes me that if anyone sought to bring about the establishment of a totalitarian dictatorship here under the domination and control of a foreign government through the medium of an amendment to the Constitution, he would surely not be prosecuted criminally, but committed to a mental institution.

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: On page 19, line 1, after the article "a" strike out the words "clear and present" and insert the word "potential."

Mr. HOLIFIELD. Mr. Chairman, as the gentleman has just spoken on the clear and present danger provision and had ten additional minutes, I ask unanimous consent to proceed for three additional minutes over the 5 on the same subject.

Mr. NIXON. Reserving the right to object, Mr. Chairman, and I shall not object to the request of the gentleman from California, but due to the fact that we are not making very fast progress on the bill I will have to object to future requests for additional time.

The CHAIRMAN. Is there objection to the request of the gentleman from

California that he may proceed for three additional minutes?

There was no objection.

The CHAIRMAN. The gentleman from California is recognized for 8 minutes.

Mr. HOLIFIELD. Mr. Chairman—

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield briefly at this point?

Mr. HOLIFIELD. I yield very briefly, but that is all.

Mr. MARCANTONIO. Yes. I just wanted to reply to the observation of the gentleman from New York [Mr. KEATING] by saying that the clear and present danger must be a judicial determination. Here they make it a legislative determination, which is prohibited by the Constitution.

Mr. HOLIFIELD. I thank the gentleman. I intend to talk at length on that subject and I hope the gentleman from New York [Mr. KEATING] will listen.

Mr. Chairman, I have three main objections to this bill.

First. The authors of this bill are attempting to get around the Bill of Rights, and do by indirection that which they recognize by their report, they could not do by direction. They have been forced to use the type of language which has been designated upon previous occasions by the Supreme Court as "vague and indefinite." In numerous places in this bill this vague and indefinite language opens the door to fuzzy and dangerous interpretation. It places the questionable judgment of a man above the clear and specific meaning of tested legal language.

Second. This bill purports to control Communist and Communist-front organizations. The language used in this bill to set up the standards by which the Attorney General makes his determination regarding the status of many economic, political, and religious groups in our Nation, is so vague and indefinite that it is not only unworkable, but actually dangerous. The Attorney General is given unparalleled power, heretofore reserved to the courts and the judiciary, to proscribe and prosecute suspected groups, organizations, and individuals. A vicious or even a stupid Attorney General could do tremendous violence to our civil, economic, and political liberties. The language of this bill is so broad and general in its scope that it throws a "Red blanket" over thousands of organizations and millions of citizens who hate communism, but who believe in working for certain social, economic, and political reforms through constitutional American methods.

The third objection I have to this bill is that I firmly believe that it is unconstitutional. The bill rests basically on the conclusion of its authors that there is a clear and present danger—that is, that the Communists are about to overthrow the United States by force and violence. Now, unless the sponsors of this bill can prove this clear and present danger, as defined by Justice Holmes in his Supreme Court decision, the whole foundation or reason for the bill is destroyed. I say that the committee has failed to prove that the Communist Party of the United States, or of any

Communist-front organization in the United States, presents a clear and present danger, which attempts to overthrow our Government by force and violence. They have made a legislative finding to that effect, but I deny the validity of that finding. The minimum proof which any board of the land would accept would have to demonstrate at least these two points: First, that the American Communist Party is so strong numerically and politically that they would be effective in a military sense; second, that they are conspiring to overthrow the Government by force and violence, and this would necessarily mean that evidence would have to be produced showing military organization, caches of arms, and revolutionary plans for a military coup. No proof has been produced to prove the existence of such factors or danger. I therefore deny that the committee has established adequate grounds to prove in any court in the United States that there is a clear and present danger to our institutions.

Statistically speaking, there are less than 100,000 Communists in our population of over 145,000,000. That is a ratio of 1 Communist to every 1,450 persons. They are without military arms or equipment and it is ridiculous to see this Congress cowering in fear before such a fact. If our pioneer forefathers faced the dangers of the new land against the hordes of Indians and the hazards of the wilderness, I believe that 1,450 loyal Americans can handle 1 Communist.

I say again, there is no clear and present danger.

The committee has not brought forward proof to show that there has been one abortive attempt to use force and violence in the United States to overthrow the Government. And if such force and violence were attempted by any part, or all, of these 100,000 Communists I want to bring to your attention the fact that we are strong enough in the United States to take care of any such attempted military coup. We have several hundred thousand Regulars in our armed forces available. We have fifteen or twenty million ex-GI's. We have the greatest civilian police force in the world. And we have several million more loyal Americans with shotguns and deer rifles in their closets, and I have confidence that we could take care of any potential Communist coup in the United States. No, there is no clear and present danger, regardless of the hysteria of the members of the Committee on Un-American Activities. We are fighting an ideological war. We are fighting a war of ideas. We are fighting communism on the political and economic plane. And that is where we should keep the fight. To fight it on the political plane you have to make democracy work. You have to take care of political inequalities in our democracy for all American citizens to preserve the privileges and rights which they are given inherently in our Constitution. To fight communism on the economic plane you have to correct the economic maladjustments of our society. You have to see that the people are fed and clothed and housed adequately. You have to eliminate monopoly control of great economic sections of our Nation.

You have to make free enterprise work in the sense that a small-business man shall not be ground into bankruptcy under the heel of monopolistic and great financial power.

If we fight communism on the political and economic plane, we correct the maladjustments of our society. We need have no fear of the growth of communism, but if we fail to correct these maladjustments by adopting totalitarian police-state methods by allowing continued growth of monopoly, the continued elimination of the small-business man, then we will be in danger from within. And the ranks of communism will swell by millions of American citizens who will be with them because of their economic desperation, because of hunger and sickness, and because of no place to live.

Economic chaos will bring on unemployment, hunger, and desperation. These are the fertile grounds in which communism will grow. If we lose our political democracy through fear and failure to protect the Bill of Rights, then we lay the foundation for dictatorship, and it may be of the Communist left, or it may be of the Communist right. In either case, it is the totalitarian dictatorship which we hope to preserve our Nation from.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Indiana.

Mr. HALLECK. I have listened to the gentleman's statement with much interest and I have concluded he does not think there is any necessity for enacting any anti-Communist legislation at this time. Is that the gentleman's position?

Mr. HOLIFIELD. No. I have an amendment on the desk which I expect to offer that will attack this problem in what I think is a constitutional way and at the proper time when section 3 is read I expect to offer the amendment.

The amendment, very briefly, seeks to do this: It asks the Attorney General to prepare a report to the Congress on the 27 laws which we already have on the books and the need for an amendment of those laws and for any additional legislation, if it is needed, and also to give us a draft of such legislation. If the Attorney General will do that, of course, it will then be up to the wisdom of the Congress as to whether to accept his draft or not. I say that the Attorney General has a better idea of what is needed because of the responsibility of enforcing laws against subversives than possibly the bill before us.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. PETERSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from New York.

Mr. MARCANTONIO. I would like to issue this challenge to the majority leader, to submit the pending bill to the Attorney General and let us have his opinion on the constitutionality of this bill. He can get that opinion much faster than those of us on the minority can. He is majority leader.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from Indiana.

Mr. HALLECK. May I say that as a Member of Congress I have always held it to be my responsibility to determine for myself as best I could the constitutionality of measures coming before us. I am doing that on this measure, and I have followed that practice all along. There may be disagreement among us about what is constitutional and what is not constitutional, but I know we are dealing here with a problem that needs to be met and, as far as I am concerned, I am going to meet it as best I can on my own responsibility.

Mr. MARCANTONIO. Even though it violates the Constitution.

Mr. HALLECK. I did not say anything of the sort. No one has been more consistently devoted to the Constitution than I. I disagreed with the statement we had one time asking the Congress to enact legislation without regard to doubt as to its constitutionality however reasonable.

Mr. PETERSON. Mr. Chairman and gentlemen of the committee, the question was raised by the gentleman from California who just preceded me with reference to a showing of a clear and present danger to the security of the United States, and referred particularly to the statement made with reference to that danger. I want to first call attention to the fact, to answer in part the gentleman from New York [Mr. MARCANTONIO], that the committee had before it the Attorney General of the United States, and questioned him with reference to the weakness of a good many of our laws, and the number of existing laws. In addition to that it was testified clearly before the committee by the Director of the Bureau of Investigation that the active Communists in this country today were a larger percentage than it was in Russia at the time the Communists took over the Government of Russia. Today there are in this country thousands of active, well-trained and schooled men. They know their places at the time when the orders come to take part, to seize strategic positions, to infiltrate into strategic organizations, and place themselves in strategic places. So, it is not a question of numbers alone. Witness after witness more or less reiterated those particular facts.

The membership of this House has for a long period of time asked the members of the committee this question: Why do you not bring out legislation to meet this situation? That was at the particular time when we were investigating it. It was hard sledding. It is not easy to serve on this committee. This committee has had many problems facing it, but each time it has come before the House with a request the House held up the hands of this committee, because it recognized it has a hard job to do and is trying to do a patriotic duty. But, they said: Why do you not bring out legislation? The committee, in its desire to bring out fair, constitutional legislation, has taken time and has considered the testimony of many people who have appeared before it. In general debate the other day I quoted a telegram received from the

chairman of the Bill of Rights Committee of the American Bar Association, an attorney eminent in his own right, who is highly respected in this Nation. I had submitted to him the entire draft as we had finally reported it out. I asked him point blank his advice with reference to it, and you will find it incorporated in the general debate. I extended it at that time in my remarks. He said that there was need for his legislation; that this legislation was carefully drawn, and in his opinion it was constitutional.

There is no effort to try and abridge freedom of speech. The question was asked a few minutes ago with reference to the proposal of a constitutional amendment. When you make an analysis of the definitions under this bill you will find each time it is tied into the dictatorship of a foreign government; the establishment of a totalitarian form of government and then subservient to a foreign government. That is part and parcel the sum of the various definitions as set forth.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. BUSBEY. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, first of all I want to pay tribute to the Committee on Un-American Activities for the splendid job it has done over a long period of years. I wish to pay special tribute to the subcommittee that handled this bill, the gentleman from Illinois [Mr. VAIL], the gentleman from Pennsylvania [Mr. McDOWELL], the gentleman from Florida [Mr. PETERSON], the gentleman from Louisiana [Mr. HEBERT], and particularly the chairman of the subcommittee, the gentleman from California [Mr. NIXON], who, in my opinion, and I know many Members of this House concur in it, from the record he is making in his first term in this body, is one of the most outstanding men that has been sent to the House of Representatives.

The bill carries the name of one of our colleagues the gentleman from South Dakota [Mr. MUNDT]. Those of us who have been rather close to this committee know that he has been a very valuable member, but we also know that the gentleman from California [Mr. NIXON] has carried a large part of the load on this particular bill.

We have heard a great deal of discussion today regarding constitutionality. Ever since there has been a House of Representatives hardly a week has passed but that some bill has been brought to the floor of the House and we have heard Members argue against its constitutionality. That is nothing new. The opponents of any bill always argue about its constitutionality.

Fortunately, or unfortunately, I do not happen to be a lawyer, but I do not think it is in the wisdom of anyone in this House or even the Attorney General to set himself up as the final authority on the constitutionality of any bill. We have a Supreme Court to determine the constitutionality. After this bill is passed, if there is someone who thinks there are some provisions that are unconstitutional, no doubt the matter will be taken to the Supreme Court. If the Court declares any of the provisions un-

constitutional, then it is up to the Congress of the United States to rewrite those provisions in line with the decision of the Supreme Court.

Just out of curiosity I analyzed the vote against the appropriation bill which was before the House not so long ago for the Committee on Un-American Activities. I also analyzed the vote against the Condon resolution, I also analyzed the vote against the rule that brought this bill to the floor of the House. There were not more than 40 votes cast against any of the three measures. I have every confidence that this bill will pass the House by an overwhelming vote, and I doubt if there will be more than 40 to 50 votes against its final passage.

I have been flooded with telegrams and communications from various organizations in opposition to this bill, and when we go back into the House I shall ask unanimous consent to make these telegrams a part of the record at this point. However, they are all of about the same tenor, and I do not hesitate to say for the benefit of my colleague from Indiana [Mr. MITCHELL], who spoke about the telegram he received from some of the CIO in his district, that in nearly every instance the telegrams are from the CIO.

Mr. Chairman, the people of our country are overwhelmingly demanding that the Congress of the United States do something about the spreading menace of communism. The Mundt bill is certainly a step in this direction. It is a bill that every true, patriotic American should be willing to support wholeheartedly. It is high time that we stand up and not be afraid to be counted on the side of Americanism.

In order that the people will know who is in opposition to this bill, and for posterity, I am inserting the following telegrams and letters which I have received:

CHICAGO, ILL., May 12, 1948.

Hon. FRED E. BUSBEY,

House Office Building,

Washington D. C.:

The omnibus bill H. R. 5852 represents real threat to American democracy. Urge you to fight its enactment in any form.

ANDY ANDRASKA,

B. A. Locals 55D and 68E USWA-CIO.

CHICAGO, ILL., May 6, 1948.

Hon. FRED E. BUSBEY,

House Office Building,

Washington D. C.:

On behalf of 2,800 members of local 1154, many of whom are your constituents, we urge you to vote against and fight against the so-called subversive-activities act. This legislation would destroy the basic rights of all Americans.

JOHN KELLIHER,

President, Executive Board, Local 1154, UE-CIO.

CHICAGO, ILL., May 7, 1948.

Hon. FRED E. BUSBEY,

House Office Building,

Washington D. C.:

United Office and Professional Workers of America, Local 24, representing thousands of Chicago white-collar and professional workers alarmed at Fascist repressive legislation called Mundt Subversive Activities Control Act being considered by Congress this week. This bill will destroy our American way of life by following the Nazi pattern. We love America. We refuse to have our democratically elected Congressmen make our beloved

country a police state and destroy civil rights. Do not help blot the fair traditions of our American heritage. We appeal to you to oppose in every way possible the passage of this vicious un-American bill. Confirm.

HARRIET PIPER,
President, Local 24, UOPWA.

CHICAGO, ILL., May 11, 1948.
HON. FRED E. BUSHEY,

House Office Building,
Washington, D. C.:

Members of our organization, many residing in your district, fully realize Mundt un-American bill designed to turn our beloved country into a Nazilike state. Confident you have same understanding. Strongly urge you fight against this diabolical legislation. By your deeds you shall be judged.

JOHN T. BERNARD,
Director, Chicago UE Political Action Committee.

NATIONAL MARITIME UNION OF AMERICA,
New York, N. Y., May 14, 1948.

HON. FRED E. BUSHEY,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN BUSHEY: We urgently request that you vote against the Mundt-Nixon bill (H. R. 5852), described as the Subversive Activities Control Act, 1948.

The membership of the National Maritime Union is strongly opposed to this bill, both because it seriously threatens the existence of bona fide labor unions and because it sweeps aside civil rights guaranteed to every American by the Constitution.

We have always believed that the House Un-American Activities Committee, which is sponsoring this bill, is in itself unconstitutional.

We are sure that you will agree that the Mundt-Nixon bill contains serious dangers to the American system. We urge that you cast your vote against the bill.

We would appreciate an answer to this letter.

Yours very truly,
SAM MOONBLATT,
Chairman, Committee Against Mundt-Nixon Bill.

RESOLUTION ON THE SUBVERSIVE ACTIVITIES ACT

Whereas the Un-American Committee has prepared a blueprint to end democracy in our country and substitute for it a Fascist-style police state. This conspiracy against our traditional liberties and constitutional rights is known as the Subversive Activities Control Act of 1948;

Whereas under the guise of fighting so-called subversives, the police-state act is really aimed at smashing the labor unions, the Wallace movement, and any progressive movement that fights for the workers, the people, and for the rights of minorities, especially the Negro and Jewish peoples; and

Whereas the police-state act is designed to silence the voices of all progressives so that the Wall Street program of union busting and war can be pushed without opposition; and

Whereas this is an amplification of the Taft-Hartley "slave" Labor Act to deliver the final smashing blow to destroy organized labor: Now, therefore, be it

Resolved, That this quarterly membership meeting of Amalgamated Local 453, UAW-CIO, goes on record as condemning the police-state bill as a threat to our democratic rights and trade-unions; and be it further

Resolved, That the executive board and joint council are instructed to carry out an all-out campaign for the defeat of this vicious bill; and be it finally

Resolved, That copies of this resolution be sent to the National CIO; the International Union UAW-CIO; regional office, UAW-CIO; Senators SCOTT LUCAS and WAYLAND

BROOKS; and to the Congressmen from the Chicago area.

Passed this 25th day of April 1948.
AMALGAMATED LOCAL 453, UAW-CIO.

CHICAGO, ILL., May 11, 1948.
HON. FRED E. BUSHEY,
House Office Building,
Washington, D. C.:

The Chicago Teachers' Union, representing 7,200 public-school teachers in Chicago, affiliated with the American Illinois and Chicago Federations of Labor, respectfully, requests that you oppose the Mundt bill. The teachers' union believes this bill is un-American and dangerous to the liberties of loyal American citizens.

JOHN M. FEWKES,
President.

CHICAGO, ILL., May 11, 1948.
Congressman FRED E. BUSHEY,
House Office Building,
Washington, D. C.:

On behalf of the membership of Local 107, UFEMWA, CIO, we demand your unqualified opposition to the Subversive Activities Control Act 1948, when same appears for House action. This legislative monstrosity would by its discretionary powers make the Attorney General more powerful than the Congress of the United States.

EXECUTIVE BOARD OF LOCAL 107.

CHICAGO, ILL., May 11, 1948.
HON. FRED E. BUSHEY,
House Office Building,
Washington, D. C.:

Urge you to vote against Mundt bill, H. R. 5852. Measure is dangerous and unconstitutional. It will not serve its stated purpose against communism. Bill a dangerous threat against basic civil liberties of Americans.

MICHAEL MANN,
Secretary, Chicago Industrial Union Council, CIO.

CHICAGO, ILL., May 12, 1948.
HON. FRED E. BUSHEY,
House Office Building,
Washington, D. C.:

Mundt bill, H. R. 5852, is most reactionary union-busting piece of proposed legislation ever to appear before Halls of Congress. I urge you to fight this bill in all forms as real threat to civil liberties.

T. A. GRIMM,
Legislative Director, USWA-CIO.

CHICAGO, ILL., May 12, 1948.
HON. FRED E. BUSHEY,
House Office Building,
Washington, D. C.:

Provisions of Mundt bill, H. R. 5852, contain all that is necessary to bring fascism to America. Represents threat to American labor movement, civil liberties, democracy. Urge you to fight this bill with all your power.

JULIUS CRANE,
Executive Director, USWA-CIO.

SMASH MUNDT-NIXON POLICE-STATE BILL (Statement by the resident board of the American Slav Congress)

The resident board of the National Committee of the American Slav Congress, meeting in New York May 7, 1948, condemns the Mundt-Nixon Subversive Activities Control Act of 1948 (H. R. 5852) as a monstrous attempt on the part of the House Committee on Un-American Activities to destroy the basic constitutional rights and liberties of the American people and introduce police-state methods, thus going a long way toward establishing in these United States exactly what this bill ostensibly aims to prevent, namely, a totalitarian dictatorship.

We agree with Henry Wallace that this bill is a legislative device by which "we are being plunged on the road to fascism," behind the smoke screen of the Red menace, and that this is a measure "which would, in effect, make any advocate of peaceful understanding in the world an international conspirator."

In this sense, the Mundt-Nixon bill holds a special danger for all Slavic Americans who dare express their admiration for the rapid industrial, political, and cultural advancement of the peoples of their native lands in eastern Europe.

Following the familiar Nazi pattern of exposing and destroying communism and communistic-front organizations, the bill states, without supplying any proof, that there exists a world-wide Communist conspiracy, directed by a foreign totalitarian power, which aims to destroy free American institutions and establish a totalitarian dictatorship in the United States under the domination of a foreign power. The authors of this bill propose to destroy this imaginary conspiracy by the enactment of a law that provides 10 years' imprisonment and \$10,000 fine for anyone who in any way helps or abates this conspiracy.

Any Slavic American or Slavic American organization that criticizes the American foreign policy, advocates friendship with Slavic countries, opposes ERP, condemns the United States position on Palestine, or protests against the enactment of the draft and UMT could, under this law, be charged with facilitating the establishment of a dictatorship by weakening our country through the dissemination of propaganda calculated to undermine its institutions.

Every individual and organization that protests against armament appropriations and advocates better social security, Federal housing and price control would be open to a similar charge.

Every trade-union leader who calls a strike for the betterment of working conditions and higher wages could be charged with "facilitating or aiding in bringing about the establishment of a totalitarian dictatorship." Every official of that union could be charged with active participation in the management of a "movement to facilitate or aid in bringing about the establishment of such a dictatorship."

Every individual or organization which fights against racial discrimination, refuses to obey segregation laws and ordinances, calls or participates in mass meetings or other forms of activity to put pressure on the Congress to enact the FEPC, antilynch and anti-poll-tax laws, would be open to the charge of aiding in bringing about the establishment of a totalitarian dictatorship by inciting social and racial strife.

In brief, this bill would set up the machinery for a full-blown police state, American style. It is directed primarily against the Wallace movement and confirms Wallace's statement that the main menace to our freedom comes not from abroad but from "home-grown fascism."

The Mundt bill sweeps away the Bill of Rights and substitutes the police state. It is not sufficient to call this proposed law unconstitutional. It is more than that. The bill, if passed, will replace our democratic institutions with a state where freedom to think or to speak freely will be completely lost.

If this measure becomes law, constitutional democracy will disappear. Instead, a horde of FBI men will be prying into your homes, your meeting places, your organizations in order to determine whether you are a member of a "Communist political organization" or a "Communist-front organization." And the language of the bill is so broad, so vast in purpose, that it encompasses everybody who has any desire to better himself or his family in any manner or make this world a better place to live in.

This bill, if enacted into law, would make a mockery of the democratic traditions of our country and would bring shame upon the name of America before all freedom-loving peoples of the world.

The New York Post was absolutely right when it wrote editorially that "no decent citizen could come near it—the bill—without protecting his nose with a clothespin."

Even Gov. Thomas E. Dewey, of New York, certainly no "fellow traveler" has declared that: "This bill is thought control borrowed from the Japanese war leadership and is an attempt to beat down ideas with a club. It is a surrender of everything we believe in."

Justice William C. Douglas stated at the Altgeld centennial on December 30, 1947: "A people indifferent to their civil liberties do not deserve to keep them, and in this revolutionary age may not be expected to keep them long. A people who proclaim their civil liberties, but extend them only to preferred groups, start down the path to totalitarianism."

It goes without saying that the defeat of this bill should be the major task of every Slavic-American organization, of every American of Slav descent, as well as of all other Americans who believe in democracy.

We, therefore, call upon our State and city committees, affiliated organizations, and upon the millions of progressive Slavic Americans to immediately wire or write their Congressmen and Senators urging them to vote down this un-American bill.

LEO KRZYCKI,

President.

ZLATKO BALOKOVIC,

Chairman, Resident Board.

GEORGE PIRINSKY,

Executive Secretary.

NATIONAL LAWYERS GUILD,
Chicago, Ill., May 11, 1948.

The Chicago Chapter of the National Lawyers Guild issued a statement today condemning the Mundt-Nixon antisubversive bill on the ground that it violates every fundamental precept of American constitutional law.

In issuing the statement, George L. Siegel, president of the chapter, said: "The purpose of this bill is to regiment American social and political thinking."

The Chicago Chapter of the National Lawyers Guild represents lawyers of many different political opinions but who are one in their devotion to the Constitution and in their desire to retain unimpaired the freedoms safeguarded by the Bill of Rights. Consciousness of this obligation impels the Chicago Guild to speak out firmly against the invasions of fundamental constitutional liberties which the bill authorizes.

We believe the bill, in the breadth of its scope and in the vagueness of its terminology, to be violative of due process requirements. We believe that the bill, by its registration and so-called "exposure" provisions, imposes prior restraints on freedom of political thought, expression, and action contrary to the first amendment. We believe further that the first amendment is violated by the criminal penalties against peaceful speech and action and by the ban on freedom of association. We believe that the bill, by leveling its sights and imposing its sanctions on a specifically designated section of American citizenry, recreates what was anathema to the framers of the Constitution and what was specifically outlawed by that document—the Bill of Attainder.

The Chicago Guild believes with the United States Supreme Court and with most Americans that freedom of thought and action is of the essence of democracy, that when such freedom is denied any individual or group in our country, democracy is maimed and imperiled. The Mundt-Nixon bill, if passed, will pave the way for the suppression of independent thinking and the imposition of a

hateful system of thought-control. Coerced orthodoxy cannot fail but to lead, as the Supreme Court has stated, to the "unanimity of the grave."

The executive board of the Chicago Chapter of the National Lawyers Guild has given careful consideration to the Mundt-Nixon Subversive Activities Control Act of 1948, recently reported out favorably by the House Committee on Un-American Activities.

The executive board is firmly persuaded that the bill is inimical to the spirit and letter of the Bill of Rights and represents an alarming intrusion upon the freedom of political thought and action which is so deeply rooted in the American way of life.

The bill alleges that there is a world Communist movement controlled by a foreign country, that there are Communist political organizations and Communist-front organizations in many countries which do the bidding of that country and that the "recent successes of Communist methods in other countries" present a "clear and present danger" to the security of the United States and require legislation to ward off that danger.

The bill attempts to safeguard the security of America by a requirement that all Communist political and front organizations—as such terms are broadly but nonetheless vaguely defined—register with the Attorney General of the United States and file annual registration statements which are to be kept open for public inspection. Communist political organizations must register the names of their officers and members and give a detailed accounting of the sources and uses of their funds. Front organizations are subject to the same requirements except that they need not register the names of their members. The Attorney General is given broad powers to investigate and determine whether any group is a Communist political or front organization, and if he finds affirmatively, to require the organization to register. The Attorney General's findings, "if supported by substantial evidence," are made conclusive on the courts in case judicial review is sought.

The bill creates a whole new series of crimes, many of them based on a concept hitherto unknown to the American system of law. The bill makes it a criminal offense:

1. "To attempt in any manner" to establish in the United States a "totalitarian dictatorship," a phrase left undefined in the bill.

2. For a member of a Communist political organization, if he knows or has reason to believe that the organization is of such character, to seek or accept employment under the United States unless he first reveals his membership in the organization; or, whether or not he reveals his membership, to continue to hold any nonselective employment under the United States;

3. For a member of a Communist political organization, if he knows or has reason to believe that the organization is of such character, to apply for a passport or to make use of one previously issued to him;

4. To become or remain a member of a Communist political organization if the organization fails to register as required;

5. For a Communist political or front organization to disseminate matter through the mails or over the radio unless the publication or broadcast is identified as coming from a Communist organization.

The penalties provided by the bill are severe including fines up to \$10,000 or imprisonment up to 10 years, or both, and a minimum penalty of 2 years imprisonment and/or \$5,000 fine for violation of certain sections.

The Chicago chapter of the National Lawyers Guild represents lawyers of many different political opinions but who are one in their devotion to the Constitution and in their desire to retain unimpaired the freedoms safeguarded by the Bill of Rights. Consciousness of this obligation impels the Chi-

ago Guild to speak out firmly against the invasions of fundamental constitutional liberties which the bill authorizes.

We believe the bill, in the breadth of its scope and in the vagueness of its terminology, to be violative of due process requirements. We believe that the bill, by its registration and so-called exposure provisions, imposes prior restraints on freedom of political thought, expression, and action contrary to the first amendment. We believe further that the first amendment is violated by the criminal penalties against peaceful speech and action and by the ban on freedom of association. We believe that the bill, by leveling its sights and imposing its sanctions on a specifically designated section of American citizenry, recreates what was anathema to the framers of the Constitution and what was specifically outlawed by that document—the bill of attainder.

Finally, we believe that the bill is unconstitutional in making acts criminal solely because they are performed by adherents of a particular political faith or by members of a particular organization. Basic to American law is the concept that the criminality of an act depends on the nature of the act, not on the political orientation of the one who commits it; that the commission of the proscribed act constitutes the offense, without regard to whether the offender be rich or poor, Republican or Democrat or Communist. The bill violates these fundamental principles. Application for or use of a passport is lawful for everyone except members of a defined political group and is made unlawful for the latter solely because of their political faith. The seeking of Federal employment without revelation of political belief, lawful to everyone else, is unlawful to members of that group for the same reason. The Bill of Rights protects all citizens, including those who entertain minority political beliefs.

The Chicago Guild believes, with the United States Supreme Court and with most Americans, that freedom of thought and action is of the essence of democracy, that when such freedom is denied any individual or group in our country democracy is maimed and imperiled. The Mundt-Nixon bill, if passed, will pave the way for the suppression of independent thinking and the imposition of a hateful system of thought control. Coerced orthodoxy cannot fail but to lead, as the Supreme Court has stated to the "unanimity of the grave."

The secretary is directed to send copies of this statement to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, members of the Illinois delegation in the Congress, and representatives of the Chicago press.

LOCAL 1154, UNITED ELECTRICAL, RADIO, AND MACHINE WORKERS OF AMERICA,
Chicago, Ill., May 10, 1948.

Representative FRED E. BUSEY,
House Office Building,
Washington, D. C.

DEAR SIR: The enclosed resolution was passed unanimously at a membership meeting of local 1154 UE. This local represents 2,800 workers in the Stewart-Warner plant, many of whom are your constituents.

Very truly yours,

JOHN S. KELLIHER,
President.

RESOLUTION ON MUNDT BILL PASSED BY LOCAL 1154, UERMWA-CIO

The House Un-American Activities Committee, under the pretext of only combating communism, throughout its 10-year history has consistently badgered the progressive forces of the United States. Its smear-and-run program has cost a great number of Americans their means of livelihood. Because of its actions, it has been condemned by the CIO and the UE in convention.

This form of attack on leaders of trade-unions and any liberal-minded Americans has now been developed to the legislative stage where the Un-American Activities Committee plans to have passed a bill, the Subversive Activities Control Act, which would restrict Americans in their political and economic thinking to the narrow terms acceptable to the Un-American Activities Committee, thereby destroying the sinews of democracy in America.

Using the Communist issue as a front, the Un-American Activities Committee calls for the virtual outlawing of trade-unions through the clause providing imprisonment of any American "who conspires to disrupt the trade, commerce, or Government of the United States with the intent to further the objectives of the world Communist movement."

The bill calls for the Communist Party or any "front" organization to register the names and addresses of every member and list their sources of funds and expenditures. All publications and envelopes sent through the mails would have to be marked "disseminated by _____, a Communist-front organization." Any organization that differs in its political or social views from this Un-American Activities Committee has been and will continue to be labeled a "front" group.

Because this bill will definitely tear into shreds our Bill of Rights, will end the cherished American rights of freedom of speech, thought, and assembly, we members of local 1154 UE-CIO here assembled in regular meeting therefore:

Resolve, That our Congressmen work against and vote against this Subversive Activities Control Act of 1948 to see that it is defeated; and be it further

Resolved, That our Congressmen work for the passage of the Sabbath resolution that calls for the abolition of the notorious House Un-American Activities Committee.

CHICAGO, ILL., May 12, 1948.

HON. FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

On behalf of over 7,000 workers employed in 31 Chicago machine shops who are represented by UE-CIO, Local 1114, we, the undersigned officers of the local, wish to make clear to you, our Representatives, that we are unalterably opposed to the un-American Mundt bill, H. R. 5852, which seeks to impose upon the American people a Hitlerite Fascist dictatorship. This bill violates the first, fifth, thirteenth, and fourteenth amendments to the United States Constitution, under the pretext of fighting against a so-called world Communist conspiracy. Just as Hitler and Mussolini used the big lie to first enslave the German and Italian people and then attempted to conquer and enslave the world, the Mundt bill would first outlaw the Communist Party and every trade union and progressive organization and individual in America which fought for higher wages, better working conditions, social security, housing, civil rights, democracy, and peace. If you wanted these things and the Communists wanted the same things, you and your organization would be called subversive and subject to fines and imprisonment. We call upon you to do everything within your power to defeat this despicable police-state bill.

Pasko Soso, President; William Conway, First Vice President; Austin Sullivan, Second Vice President; Louis Abbate, Third Vice President; James Butler, Recording Secretary; Charles Jeske, Financial Secretary; Edward Dalley, Treasurer; Louis Torre, Business Manager; Fred Anderson, Trustee; Clarence Coleman, Trustee; Paul Dublinski, Trustee; Richard Keith, Trustee; James Small, Trustee; Thomas Skinner, Sergeant-at-Arms.

CHICAGO, ILL., May 12, 1948.

HON. FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

On the part of 5,500 Chicago shoe workers I implore you to do all in your power to defeat the omnibus bill H. R. 5852. This bill is first step in curbing civil liberties, crushing trade unions, and is opening wedge toward totalitarianism in America.

GENE BARILE,
Secretary Joint Council No. 25, USWA-CIO.

CHICAGO, ILL., May 12, 1948.

HON. FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

Mundt bill H. R. 5852 is a definite threat to the American labor movement, civil liberties, and American democratic ideals. Urge you to fight this Fascist bill.

CLELL TADE,
B. A. Locals 51B and 52C USWA-CIO.

CHICAGO, ILL., May 12, 1948.

HON. FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

Most serious threat to civil liberties, trade unions, and democracy is contained in Mundt bill H. R. 5852. Urge you and your colleagues to fight and defeat this bill.

TIM MANALE,
B. A. Local 49A, USWA-CIO.

CHICAGO, ILL., May 12, 1948.

HON. FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

The Mundt bill E. R. 5852 is first step toward fascism in America. Urge you to do all in your power to defeat this bill.

JAMES BRINGLE,
B. A. Locals 48 and 80, USWA-CIO.

CHICAGO, ILL., May 12, 1948.

HON. FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

Local 194, Food, Tobacco and Agricultural Workers, CIO, representing 4,500 members and their families in the city of Chicago urges most strongly that you vote against the Mundt-Nixon subversive activities control bill. This bill would repeal the freedoms of speech, thought, and press guaranteed by the Bill of Rights in the United States Constitution and establish a police state here in America.

JOHN GALLAGHER,
President,
VERONICA KRYZAN,
Secretary-Treasurer,
Local 194, FTA, CIO.

NEW YORK, N. Y., May 3, 1948.

HON. FRED E. BUSBEY,
Washington, D. C.:

National Council of National Maritime Union in behalf of 90,000 members condemns Mundt bill, H. R. 5852, subversive activities control bill, as attack on constitutional rights of American people and attempt to smash trade unions. Urge you oppose this police thought-control measure.

FERDINAND C. SMITH,
National Secretary.

NEW YORK, N. Y., May 11, 1948.

Congressman BUSBEY,
House Office Building,
Washington, D. C.:

The Transport Workers Union of America, CIO, vigorously opposes the Mundt-Nixon bill, H. R. 5852, as an infamous piece of pro-Fascist legislation designed to enslave the American labor movement. We urge you to vote against it and use your influence to see that it is defeated.

MICHAEL J. QUILL,
International President,
DOUGLAS L. MCMAHON,
International Secretary-Treasurer,

CHICAGO, ILL., May 12, 1948.

FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

The Mundt bill, H. R. 5852, must be defeated as this bill represents real threat to civil liberties, progressive thinking, and American democracy. Urge you to fight against its enactment.

JACK SPIEGEL,
B. A. Locals 69 and 81, USWA-CIO.

CHICAGO, ILL., May 12, 1948.

Representative FRED E. BUSBEY,
House Office Building,
Washington, D. C.:

We urge you to vote against the Mundt bill because it threatens a political freedom of all Americans and we urge you to work for the passage of the Sabbath resolution which would abolish the Un-American Activities Committee.

THE NINETEENTH WARD CLUB OF THE
PROGRESSIVE PARTY OF COOK
COUNTY.

AMERICAN CIVIL LIBERTIES UNION,
New York City, May 3, 1948.

DEAR MR. CONGRESSMAN: May we express our opposition to H. R. 5852 reported by the Un-American Activities Committee, a bill to control Communist activities.

We have no sympathy or associations with communism, but we are opposed to any such restrictions as are fixed in this bill.

Democracy is not to be defended by adopting antidemocratic methods. Mere opinions and associations should not be penalized. The bill does not only that, but denies basic rights to American citizens solely because of their opinions and associations.

In our judgment the bill is clearly unconstitutional. It is in fact a bill of attainder, usurping the function of the courts to determine offenses and punishments.

It is furthermore unwise public policy, for it would have the inevitable effect of driving the Communist movement underground where it would be much more difficult to combat.

May we earnestly urge your adverse vote against so unprecedented a proposal in clear conflict with our constitutional guaranties.

Sincerely yours,

ARTHUR GARFIELD HAYS,
General Counsel.

THE AMERICAN VETERANS COMMITTEE,
Chicago, Ill., May 5, 1948.

Representative FRED E. BUSBEY,
House Office Building,
Washington, D. C.

DEAR SIR: Enclosed is a copy of a resolution on the Subversive Activities Control Act, 1948, passed by the Chicago Area Council, American Veterans Committee, at its regular meeting Friday, April 30, 1948.

Very truly yours,

SEYMOUR L. GALE,
Chairman, Chicago Area Council,
American Veterans Committee.

CHICAGO AREA COUNCIL,
AMERICANS VETERANS COMMITTEE,
Chicago, Ill.

Whereas on the 28th day of April 1948, the House Un-American Activities Committee reported out a so-called get-tough-with-Communists bill; and

Whereas the constitutional basis for the suppression proposed therein must be that the individuals and organizations named are engaged in seditious or treasonable acts; and

Whereas the measures proposed will constitute certain individuals and groups as unlawful not upon the basis of traditional American judicial methods, but rather by legislative determination; and

Whereas outlawing groups and individuals for professing political beliefs is repugnant

to the democratic principles of this country and probably violates the constitutional guaranty of the citizens of the United States; and

Whereas if the groups and individuals sought to be suppressed are actually engaging in seditious or treasonable acts, it is the duty of our Government to bring the law-breakers to trial so they can be punished for their misdeeds in accordance with established judicial procedure; and

Whereas we see in the legislation proposed the establishment by Congress of an evil that can be as great as that which it seeks to destroy, legislation that will undermine the traditional and time-proved safeguards of the civil liberties of our fellow citizens, substituting the totalitarian pattern of destroying all thought contrary to the majority view of the country's political leaders;

Now, therefore, we the members of the Chicago Area Council of the American Veterans Committee, an organization of over 4,000 veterans residing in the Chicago area, who have just fought a war for the purpose of safeguarding the democratic principles which this legislation serves to destroy and who have consistently forthrightly and militantly rejected Communist doctrine and leadership, call upon the Members of Congress to oppose and defeat with all the vigor that they possess, this un-American proposal.

THE STUDENT ASSEMBLY,
The University of Chicago.

RESOLUTION ON H. R. 5852

Whereas there has been introduced in Congress H. R. 5852, a bill to combat Un-American activities by requiring the registration of Communist front organizations and for other purposes;

Whereas this bill required registration of, and prohibits Federal employment of and issuance of passports to, members of organizations very loosely defined and administratively determined as Communist front;

Whereas there exist at the University of Chicago, a Communist club and other organizations which the Attorney General would, without any doubt, require to register their membership;

Whereas such requirements do, in the present political atmosphere constitute an effort at intimidation and place these organizations at a legal disadvantage;

Whereas all student organizations which do not engage in unlawful pursuits have an unequivocal right to carry on their activities and propagate their views unhampered by such intimation: Therefore be it

Resolved, That the University of Chicago student assembly, on behalf of the student body, strongly protest the initiation of such legislation and oppose its enactment, and that the public relations committee is hereby authorized to give this resolution adequate publicity and that telegrams be sent to Congress tonight.

LOIS E. JACOBS, *President*.

Adopted May 5, 1948.

COMMITTEE OF ONE THOUSAND TO ABOLISH THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES, New York, N. Y., May 5, 1948.

DEAR CONGRESSMAN BUSBY: We are enclosing a statement released to the press and signed by 167 noted individuals, all sponsors of the Committee of One Thousand, urging the defeat of the Subversive Activities Control Act of 1948, and the abolition of the House Committee on Un-American Activities.

We are eager for your comments on this legislation and we look forward to your reply.

Sincerely yours,

PAUL ZIPORKIS.

COMMITTEE OF ONE THOUSAND, New York, N. Y., April 23, 1948.

STATEMENT ON PROPOSED SUBVERSIVE ACTIVITIES CONTROL ACT OF 1948

We review with critical concern and apprehension the proposals for a Subversive Activities Control Act of 1948, to be recommended to Congress by the House Committee on Un-American Activities, because of this committee's history of almost complete disregard of the liberties which this legislation purports to defend.

The committee has been in existence for about 10 years. Its record was succinctly summarized on January 20, 1947, by the board of directors of the American Civil Liberties Union—an organization which the Dies committee itself publicly absolved of any Communist taint. Referring to the present committee and its predecessors, the board said:

"The principal effect of the committees' probes has been the unwarranted discrediting of genuine liberals who have been earnestly and sincerely seeking needed reforms, particularly in the field of labor, monopolies, and race relations. This has been accomplished by smear methods, innuendo, distortion, and other propagandistic devices reminiscent of Fascist techniques. Nothing in recent years has been as un-American as the conduct of the hearings of the Congressional Committee on Un-Americanism."

That Congress is to be asked by a committee whose conduct has been so described to safeguard the American way of life deserves serious thought.

The committee has announced that it will propose legislation which purports to do the following:

1. Make illegal the knowing and willful advocacy of the overthrow of the Government of the United States by any means for the purpose of subverting the interest of the United States to that of a foreign Communist power.

2. Require the registration of Communist-front organizations as proposed in the Mundt bill (H. R. 5852).

3. Deny Government employment to Communists.

4. Deny passports to Communist Party members.

The committee suggests additional legislation to—

1. Increase the penalty for contempt of Congress from 1 to 5 years, and from \$1,000 to \$5,000 fine.

2. Strengthen the espionage laws.

3. Require aliens to register annually.

We cannot be unmindful of the fact that for 10 years the House Committee on Un-American Activities not only has attacked Communists, but has stamped subversive all those whose opinions it found unpalatable. It has exhibited an unwillingness, as Prof. Walter Gellhorn said, "to tolerate those whose estimates of current problems do not match its own."

That this bill is primarily a request by the committee for legislative sanction to accelerate its drive to squeeze all opinion and activity into the channels of conformity is obvious from the following definitions contained in the Mundt bill and approved for incorporation:

"SEC. 3. . . . (2) the term 'Communist Party' means the political party now known as the Communist Party of the United States of America, regardless of any change hereafter made in such name; and such term includes, irrespective of its name, any organization carrying out the policies of, or engaged in the same character of activities as, the Communist Party of the United States as it now exists and operates;

"(3) the term 'Communist-front organization' means—

"(A) the Communist Party; or

"(B) any organization which engages in any activity intended, or which it is reason-

able to believe is intended, to further the objective of

"(i) bringing about replacement of the existing form of government of the United States with a Communist form of government, or

"(ii) bringing about replacement of free private enterprise in the United States with a Communist economic system, or

"(iii) bringing about acceptance, in the United States, of Communist ideology; or

"(C) any organization which is under the control or influence of the Communist Party."

We are aware of no legislative act that does greater violence to the principles which have guided our country to greatness—the encouragement of criticism and the toleration of dissent. If this bill is enacted, persons and organizations espousing such current controversial causes as the partition of Palestine, the repeal of the Taft-Hartley law, civilian control of atomic energy, antilynch laws, and national health insurance may be subject, if not to criminal action, to abusive investigation and disparaging publicity. They become open to the charge of engaging in the same character of activities as the Communist Party of the United States, or being under its control or influence. "America," Prof. Henry Steele Commager said, "was born of revolt, flourished on dissent, became great through experimentation."

We condemn what seems to us to be an effort to utilize the unsettled state of international affairs and political discord both at home and abroad to impose upon Americans modern alien and seditious acts, the wisdom of which our history has long since disproved. On the basis of the record of the Committee on Un-American Activities, we believe we are justified in discounting this body's estimate of the dangers that face our country. We do not believe we can be charged with ingratitude for refusing their offer to protect our liberties. Instead we propose to Congress the alternative to a government by terror—the defeat of the Subversive Activities Control Act of 1948 and the abolition of the House Committee on Un-American Activities. By so doing we reaffirm our confidence in the strength and virtue of the Constitution of the United States and our faith in the American people.

Complete list of signers of the statement follows:

Rev. B. S. Abernethy, Rev. Dr. Charles B. Ackley, Prof. Comfort A. Adams, Rev. Frank D. Adams, Dr. James Luther Adams, Dr. James W. Alexander, Milton Avery, Rev. Lee H. Ball, Dr. Ruth Benedict, William R. Benet, Rev. Walter L. Bennett, Edward Biberman, George Biddle, Dr. A. F. Blakeslee, Rabbi Herbert I. Bloom, Ernst P. Boas, M. D., Prof. Campbell Bonner, Prof. Edwin G. Borling, Mrs. W. Russell Bowie, Van Wyck Brooks, Rev. J. George Butler, Henry Seidel Canby, Rev. Dr. J. Henry Carpenter.

Robert Carse, Ruthven S. Chalmers, Rev. Thaddeus Clapp, Robert M. Coates, Rev. Albert Buckner Coe, Charles H. Colvin, Aaron Copland, Dr. George W. Corner, John O. Crane, Charles P. Curtis, Jr., Prof. George Dahl, John Dewey, Prof. J. Frank Dobie, Olin Downes, W. E. B. DuBois, Rev. Hubert N. Dukes, Rev. Charles E. Dunn, Leslie C. Dunn, Philip Dunne, Rev. J. Edwin Elder, Aymar Embury II, Dr. Thomas I. Emerson, William Emerson, Rev. Thomas D. Ewing, Prof. John K. Fairbank, Rev. Ralph M. Felix.

Don Freeman, Prof. Joseph F. Fletcher, Rev. Stephen H. Fritchman, Dean Christian Gauss, Rev. William H. Geron, J. W. Gitt, John C. Granbery, Prof. Walter Gropius, Ernest A. Grunsfeld, Jr., Rev. Armand Guerrero, Rev. Wm. D. Hammond, Prof. Georgia Harkness, Prof. Marion Hathway, Rev. Paul Silas Heath, Zoltan Hecht, Rev. Chester E. Hodgson, Prof. Leicester B. Holland, Dr. Bryn J. Hovde, M. A. DeWolfe Howe, Rev. Fleming James, Sr., Rev. John Paul Jones, Rev. Albert W. Kauffman, Rev. Allen Keedy.

Dean Hayward Keniston, Robert P. Knight, M. D., Dr. I. M. Koethoff, Rev. Virginia A. Kraft, Alfred Kreymsborg, William F. Kruse, Stella M. Landis, Dr. Andrew C. Lawson, Rabbi Morris S. Lazaron, Philip E. Lillenthal, Prof. Ralph Linton, Rev. Herman F. Lion, Oliver S. Loud, Rev. Virgil E. Lowder, Prof. Robert H. Lowie, Elizabeth McCausland.

Carey McWilliams, Curtis D. MacDougall, Dr. Percy MacKaye, Charles A. Madison, Rev. H. P. Marley, Daniel Gregory Mason, Gregory Mason, Prof. Kirtley F. Mather, Rev. Robert Mayhew, Dr. S. A. Mitchell, Dr. Wesley C. Mitchell, Prof. Arthur B. Moehliman, Prof. M. F. Ashley Montagu, Marianne C. Moore, Dr. P. Morrison.

Lewis Mumford, Prof. Robert Hastings Nichols, Rev. Justin Wroe Nixon, Rev. Edward W. Ohrenstein, Frederick Law Olmsted, Rev. George L. Paine, Rev. Clay E. Palmer, Prof. Edwin Panofsky, Rev. Don Ivan Patch, Prof. Ernest M. Patterson, Will Payne, Rev. Leslie T. Pennington, Prof. Melba Phillips, Rosa Pringle, Rev. Karl Quimby, Prof. Walter Rautenstrauch, Anton Refregier, Anne Revere, Oscar K. Rice, Rev. Frank Ricker, Rev. B. C. Robeson, Prof. Margaret Schlauch, Arthur Schnabel, Rev. Walter A. Scholten, Rev. Robert W. Searle.

Mrs. Mary Kingsbury Simkhovitch, The Rev. Dewees F. Singley, John Sloan, The Rev. Robert D. Smith, Rev. William B. Spofford, Jr., O. M. W. Sprague, Vilhjalmur Stefansson, Dr. Arthur G. Steinberg, Philip Stevenson, Rev. Howard L. Stimmel, Rex Stout, Prof. Richard M. Sutton, Prof. J. S. P. Tatlock, Prof. C. F. Taylor, Prof. Lloyd W. Taylor, Rev. L. F. Thornton, Jr., Rev. W. G. Towart, Louis Untermyer, Willard Uphaus.

Mark Van Doren, Willard Van Dyke, Prof. Oswald Veblen, Dr. Maurice B. Visscher, J. Raymond Walsh, Prof. Eda Lou Walton, Max Weber, Rev. W. A. Werth, Prof. F. W. Weymouth, Rev. Hugh V. White, Rev. Frank S. C. Wicks, Prof. Henry N. Wieman, Prof. Eugene P. Wigner, Rev. David Rhys Williams, Rev. Lynn A. Wood, Prof. Quincy Wright, Bishop R. R. Wright, Jr., Prof. Sewall Wright, Rev. James D. Wyker, Dr. Robert M. Yerkes, Leane Zugsmith.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 35 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, during the course of the day we have heard the motives of one gentleman impugned because of his religion, and the motives of a gentlewoman impugned in presenting the views of an eminent cleric. I am not speaking for my co-religionists today. I will speak for those American citizens who live in my district, most of whom believe in their Bible, and when I say Bible, I mean both the Old and New Testaments. Two challenges have been thrown today to those who oppose this measure. One challenge asked that we point to specific provisions of the Constitution which may be violated by enactment of this legislation. There have been ample citation of decisions of the Supreme Court of the United States on the subject. For those who want to read, I suggest they read article I, section 9; article III, section 2, and the first and sixth amendments of the Constitution.

The second challenge that has been hurled at those who oppose this measure has been in the nature of an inquiry: What do you want to do about this matter? What do you want to do by way of amendments? My answer to those inquiries is that we move to recommit the bill to the committee with instructions to hold public hearings on the new matter in this bill, some 17 or 18 pages of printed matter, on which there were no public hearings. At such hearings we can then come in and be heard to urge our respective amendments, instead of trying to prepare a bill of this kind of so important a nature on the floor of the House.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. McDOWELL. The gentleman told the House, I believe, on Friday that he had more Communists in his district than in any other congressional district?

Mr. MULTER. That is the fact.

Mr. McDOWELL. Would you want those Communists or any of their representatives to come here and tell the Committee on Un-American Activities how to write this bill?

Mr. MULTER. I am afraid you cannot help yourself as to that. Unless you repeal the first amendment of the Constitution, you would have to hear them. Much as I dislike what they say, and much as I think they would try to impede your work, we could nevertheless handle them and do a good job at your public hearings.

Mr. McDOWELL. May I tell the gentleman then that I believe we invited five of them down at various times. Four refused to come. One or two are on their way to jail because of their refusal to come. Another one came and spent 25 minutes insulting the committee. The Committee on Un-American Activities is in a difficult position and there are some things we do not want to take again.

Mr. MULTER. May I suggest then that you invite the respectable Members of the House to such a hearing so that you can sit down with us, the Members who are serious about this, and hear what we have to say, and permit us to urge proper amendments to this bill.

Mr. McDOWELL. May I suggest to the gentleman from New York that that is what we are doing here today. We are having a hearing on the bill today to do something about subversive activities in the United States.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. EBERHARTER. The committee is not accepting any suggestions made by those in opposition to the bill. They wrote the bill and brought it in here, and now suggestions are being made, and they fight every amendment. So the argument of the gentleman from Pennsylvania [Mr. McDOWELL] falls. This is not a hearing.

Mr. McDOWELL. Two amendments have been accepted by the committee.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. Yes, I yield.

Mr. MARCANTONIO. I think that we should also at this time nail the statement in the report which gives the impression that the Attorney General and others testified in favor of this particular legislation. I say that the hearings do not bear that out, and I say that the Attorney General himself will not support the contention.

Mr. MULTER. So far as I know, this is the first piece of legislation suggested by the Committee on Un-American Activities and its predecessor, both of which have been laboring for a period of about 10 years. There is no need for haste in enacting this bill. All of the arguments thus far very plainly indicate that there is no clear and present danger to the security of the United States that requires the immediate enactment of this bill. Any bill as far-reaching as this, obviously going contrary to American traditions of justice, should receive much more careful and thorough consideration than can be obtained by attempting to offer amendments under the 5-minute rule. Few, if any, amendments that must be offered to this bill can be explained within the 5 minutes allowed to the Member offering the amendment.

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has expired.

The gentleman from Pennsylvania [Mr. BUCHANAN] is recognized for 4½ minutes.

Mr. BUCHANAN. Mr. Chairman, the gentleman from California [Mr. HOFFFIELD] has offered an amendment to strike out the words "clear and present danger" and substitute the word "potential."

A war enforces an uneasy national unity, but when it is over, a lot of people are disposed to work off the grudges built up in wartime and say to themselves, "Now that we have licked the enemy outside, let us finish off those so-and-so's next door." The question of national unity, the question of a clear and present danger brings to my mind a recurrence of what followed after World War I. In 1918 and 1921 there were charges of disloyalty; deportations; the wrecking of the New York office of the Call; and "veterans" and "wobblies" clashing in the Northwest. Those were all episodes of the period following that war, in which the great Red scare was on.

Now, as we want no reoccurrence of those events today. Let us examine the differences between the two periods. The principal root of all movements is fear. Fear is usually mixed with prejudice, and heightened by hysteria. I want to point out, and I believe I can support my contention with observations of leading historians and sociologists, that national unity today, to a greater degree, is far better than it was during World War I and following World War I. If you will recall, then Debs was imprisoned and the Socialists were under suspicion, but today we find the leader of the Socialists, Norman Thomas, probably the best known outspoken exponent of opposition to communism and Communists. In this early period, of course, fear sprang chiefly from the evidences of disunity; signs of national disunity. Today, few

are troubled by ideas of domestic disruption. It is external rather than internal peril that takes first place in men's apprehensions. National unity, as the second World War shows, has grown steadily in recent years. Today, it is an external threat more so than an internal threat. A believer in Russian communism today cannot take shelter behind the Constitution. He is a believer in a police state of the most ruthless character, a system of secret arrests, a system of dictated convictions, of purges, and concentration camps. He believes in a system which has killed, imprisoned, or exiled many millions, whereas czarism has killed and jailed thousands.

Bear in mind one fundamental fact that majority rule will only be loyally accepted so long as it respects the basic rights of minorities.

Let us clarify the broad, sweeping assertions and loose statements in this proposed legislation. It is confusing at best.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The gentleman from Pennsylvania [Mr. CHADWICK] is recognized.

Mr. CHADWICK. Mr. Chairman, I am particularly anxious to speak on this amendment, because it so sufficiently points to a question which has plagued me in respect to this bill, not merely since it was introduced by the gentleman from South Dakota [Mr. MUNDT] but many months and even years before that. I have given very serious consideration to the threat of communism as we find it abroad and at home, and I had reached the conclusion as long ago as October 1946—that we would finally find that we could not by legislative measures, short of a constitutional amendment, find any relief or remedy against this conspiratorial plague which is working upon our political and economic system like a cancer.

I approached this bill therefore, the hard way, with the preconceived notion that it was impractical to accomplish this purpose in any other way than by a constitutional amendment.

As a matter of fact I found time to appear before this committee while they were considering this very act and made a brief statement, in which I included a reference to the fact that I had reached such a conclusion, and had actually prepared such a constitutional amendment a long time ago. The only reason I have not presented it in this House is because I did not propose to be the first American to admit that any threat, internal or external, could so drive home the iron into our soul of the admission that our American system, with its very fundamental basis of free speech, would have to surrender part of its genius in order to meet such an attack.

But when I examined this bill, originally prepared by the gentleman from South Dakota, and now perfected by this committee, most ably and most conscientiously and most carefully, I reached the conclusion that they had found a touchstone that might solve the problem which presented itself to me.

As I read this bill, its basic concept is the prohibition of certain activities in

America which might well be legal if they were indigenous, if they were merely American radicalism in the American fashion, but which are so polluted by the influence and control of outside agencies that it becomes possible for the Congress in the first instance, and the courts in the second instance, to say that this is a matter which is within the reach of legislative remedy. Having reached that conclusion, I am satisfied in my own mind, my own conscience, that I can support this bill.

Let me point out, however, in connection with this present amendment, which the gentleman from California makes persuasive by his argument about the fewness of our Communist foes in America, that I think we erred earlier this afternoon when the committee decided to exclude a portion of the bill (from line 1 to line 8 on page 17); because I believe those words are essential, or at least very desirable to the understanding of the purpose of this bill. With your permission I am going to read those words, as a refutation of the argument of the proponent of this amendment so that we can count the number of card-bearing Communists and then relax:

And among the methods commonly used to accomplish this end in any particular country are (A) the disruption of trade and commerce; (B) the inciting of economic, social, and racial strife and conflict, (C) the dissemination of propaganda calculated to undermine established Government institutions, and (D) corrupting officials of the Government and securing the appointment of their agents and sympathizers to offices and positions in the Government.

The havoc that a well-disciplined band of trained revolutionaries, and their fellow-travelers, can actually accomplish, if left to their own devices, is incalculable. We have much to fear.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. CHADWICK. I yield to the gentleman from Illinois.

Mr. OWENS. I see what the gentleman means, but the amendment was offered in order to strengthen the section.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MORRIS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I just do not believe that we should compliment the communistic movement by saying that it is a clear and present danger to the United States. Do we not by such statement bring weakness upon ourselves? Do we not thus say that in America we are so weak that a handful of people can destroy us? To my mind that is a psychology brought about by hysteria, and nothing else.

I brought to your attention a few moments ago from the daily press statements showing beyond the purview of doubt that communism is on the wane in Germany, in the American occupation zone, also, that it is on the wane in Italy and in France, and I told you of a statement by the Attorney General of the United States that it is on the wane in America. It is on the way out.

Now, I regard the majority leader very highly, but let me say to him that communism has already been stopped here in the good old United States of America. It is stopped in its tracks and it will get weaker if we do not pull a lot of bonehead plays and ruin our own American institutions. It will continue to be stopped; it has been stopped by the common sense of the American people. That is what stops it and that is what will keep it stopped.

You could let every one of them get up and make a speech every day, give them police protection, let no one bother them, assist them upon the platform, and thus help them make their speeches, and it would still never make America Communist. That is, as long as we keep our way American. But if we continue with these witch-hunt bills, such as I believe this one is, we might help bring it about in this country, not intentionally, of course. Your purpose is good. You have worked hard, and I admire you for that. I do not impugn your motives. They are good; the same as mine. I know my motives are good. They may be wrong but I know my motives are good intentioned. I love my country as you do. I do not want to see its liberties attacked.

Mr. Chairman, this bill is in my judgment unconstitutional. It is a bill of attainder. It attacks the right of freedom of speech and the right of freedom of the press, it attacks the right of the people to publicly assemble and petition their Government for a redress of grievances. There are many ways in which it is unconstitutional, I believe.

I call attention to the fact that I enlisted in the First World War when I was a kid. At that time the papers most every day were filled with statements that the Germans were committing atrocities of all kinds; they claimed they were cutting the arms off Belgian children, that they were crucifying Canadian soldiers, and that they were taking English soldiers who were killed and boiling their bodies and making soap out of them. There were affidavits in the papers to that effect. Go back and read those atrocity stories. All of those stories were there. My mind was inflamed as a kid, because I believed those stories. Most everybody else believed them. The Congress of the day evidently believed them. But they turned out to be untrue.

When I came back from that war I read a number of books on propaganda. I am telling you we are right now in the midst of one of the greatest propaganda campaigns that ever occurred in this great Nation of ours. They are scaring us to death. Russia is not so strong as to be able to do us any harm, but some people believe she is. Do you believe a little handful of radicals is going to overthrow the great United States? It is not true. It cannot be done. If there is any danger at all, it is not clear and present.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

The Chair recognizes the gentleman from New York [Mr. ISACSON].

Mr. ISACSON. First, Mr. Chairman, I cannot let the shocking tirade in support of racial segregation, as well as the

derogatory remarks about the fight of the Jewish people for a national homeland, pass unchallenged. Those statements constitute a slander on the Negro people as well as on the Jewish people.

I know that these opinions expressed by the gentleman from Mississippi [Mr. RANKIN] are not the opinions held by the majority of American people.

The American people abhor bias and bigotry and prejudice and discrimination and are anxious to enact legislation which will root out these evils from the dark places where they fester like spores and toadstools in the rot and decay of incipient fascism.

Second, I would like to read at this time a resolution which has been entrusted to me by the Jewish War Veterans of Bronx County. It reads:

Whereas the Jewish War Veterans of the United States are dedicated to the preservation of democracy; and

Whereas we believe the best defense of democracy is to defend the civil liberties of all groups; and

Whereas the Mundt bill under the guise of combating subversive elements is actually a long step in the direction of fascism and an unprecedented violation of freedom of speech; and

Whereas the bill would deny to American citizens solely because of their beliefs and associations, rights guaranteed to all by the Constitution; Therefore be it

Resolved, That the Jewish War Veterans of Bronx County at annual convention duly assembled oppose the passage of the Mundt bill and pledge to do all in our power to preserve civil liberties in America.

Third, to those who have expressed some scorn regarding the charge I have made that the Mundt bill is unconstitutional, I refer you to last night's debate between Mr. Dewey and Mr. Stassen as reported in the Herald Tribune this morning.

Mr. Dewey, after citing the 27 pieces of legislation which deal with all efforts to overthrow the Government by force and violence, indicated that he thought such existing legislation was sufficient.

Mr. Dewey said: "I have some doubts about its [the Mundt bill] constitutionality. It supplements the present legislation in a very small way."

Mr. Stassen, who is in favor of outlawing the Communist Party entirely, said that this legislation goes even further than he would go.

One last thing: The question has been raised as to the relevancy of this legislation as far as the Wallace third-party movement is concerned. I refer you again to section 3, subparagraph (C), which makes the test of a subversive organization:

The extent to which its views and policies are the same as those of such foreign government or foreign organization.

Under this subdivision, if a political party opposes the right of partition of Palestine, or opposes the armed intervention in Greece or China, it is expressing views and policies which may be considered the same as those of a foreign government or foreign organization and opposed to the foreign policies of our administration.

I ask the gentleman from California [Mr. Nixon] whether under this subdivision (C) and applying this test, the

Mundt bill might not be used to falsely brand the Wallace party as subversive?

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, I think one of the reasons this bill is before Congress is that several democracies in Europe have been taken over by the Soviet Government. It seems to me the United States should not become fearful that it will be taken over by the Soviet Government or its philosophies because some of the small countries over there have been taken over, if we would just take into consideration the fact that conditions in the countries that were taken over by the Soviet ideology were altogether different. I will admit there is some dissatisfaction in this country with social and economic conditions, and that there is a desire for a higher standard of living, but if you will just think of the conditions of the nations in Europe that are now under the control of the Soviet Union you will realize that those conditions have lasted for perhaps centuries, where the people have had no hope whatever of ever attaining a higher standard of living or even having any land reforms or ever being recognized on an equal social basis, or ever having any opportunity really to act as free men and women. It is in that kind of an area that socialism and communism gain a foothold. The ground here is not ripe for that. We have no reason to fear that the ideology of communism will take root here or flourish. Neither have we any reason to fear military might on the part of the Soviet Government. So I think those that are shuddering are unnecessarily afraid.

Mr. Chairman, it seems to me this bill is also tearing away at a fundamental institution of this country. It is taking away from the courts, from the judiciary of this country, the right to find a person guilty or not guilty. In this bill you allow one single individual, the Attorney General of the United States, to come to a reasonable conclusion. It does not have to be based on substantial evidence, all the bill states is a reasonable conclusion, so that you have a determination by an individual. That is contrary to our fundamental institutions and that is one of the first things that dictators in Europe did when they commenced to take hold of the countries there, dictators like Hitler and Mussolini, and that was the first thing they did in Russia. You have the right of appeal here. Tell me, do you have the right of trial by jury? There is nothing in this bill, as far as I have been able to see, which gives an accused organization or an accused individual the right of trial by 12 of his peers. So, in my judgment, that is an attack on or an undermining of the fundamental liberties and freedoms guaranteed by the Constitution of the United States.

Mr. Chairman, I think this bill is a step toward dictatorship, because some of the guarantees we have been so thankful for since the adoption of the Constitution of the United States, the right of trial by jury, the determination in the first instance of guilt or innocence by a grand

jury, and by a court later, are taken away from us. For that reason, Mr. Chairman, unless the bill is radically amended, and because my honest belief is that this bill is completely repugnant to the principles that our founding fathers embodied in the Bill of Rights and the Constitution of the United States, I shall vote against the measure.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, I will not condescend to even reply to the remarks of the Member from New York [Mr. ISACSON] in referring to my opposition to this communistic bill, which was introduced here by the Member from New York [Mr. KLEIN] and which the Communists continue to push in order to stir up race trouble, not only in Washington, but throughout the country, and especially throughout the Southern States.

We had this same opposition, virtually per man, and almost per woman, in this House when the Committee on Un-American Activities had its investigators chasing these Communist spies at Oak Ridge. If it had not been that one of them turned state's evidence after they got back to Canada, they would have had the secrets of the atomic bomb in the hands of the very power to which the opposition to this bill gives so much encouragement.

Mr. Chairman, I want every Member to go down and see this picture called The Iron Curtain and see what sacrifices that man made in order to save America from being blown to atoms by the enemies that are attempting in every possible way to destroy this country.

Why, they talk about Mr. Stassen and Mr. Dewey. They have said on the floor that Mr. Stassen and Mr. Dewey both said they favored outlawing the Communist Party. Neither one of them said that. I listened to both of them carefully and they both supported this bill. Every loyal American who believes in the form of government that our forefathers established with their blood and sacrifice will agree to this bill and support it when the time comes for the final vote on its passage.

Mr. Chairman, the gentleman from Pennsylvania [Mr. EBERHARTER] intimates that this measure would take away the right of trial by jury. Every loyal American knows there is not a scintilla of fact to support that utterance. Trial by jury remains. The freedom of speech remains. Freedom of the press remains. Freedom of assembly remains. But we do not propose to exempt the freedom of conspiracy. That is what we are driving at. We do not propose to allow freedom of conspiracy to destroy this country.

I have just pointed out the fact that one of the very elements that was busy destroying this Government was the Black Dragon Society of Japan. They ran their trucks up against the tails of our airplanes at Pearl Harbor and destroyed them at the very moment when our boys were dying by the thousands as a result of Japanese treachery. At that time every Communist in America was opposing the United States, because at

that time Russia had not yet entered the war on our side.

No, Mr. Chairman, this committee has gone through a great deal. I have taken all the slander from this group that I am going to take. I have just had about enough of it. But I can tell you now that the American people are behind this committee. It has taken abuse and vilification of this element that secretly in their hearts want to destroy American institutions and set up a communistic dictatorship. Mr. Bullitt said in answer to my question before the committee when he was testifying under oath that he never saw a Communist who was not well fed, well dressed, and well financed. Now they talk about poverty. No, it is a fifth column of well-dressed, well-fed, shrewd, keen, well-financed individuals who steal throughout the world wrecking nations, just as they wrecked Poland and Czechoslovakia and Yugoslavia and just as they are trying to wreck the United States. But they are going to find that they have a different people to deal with here, and they might as well understand it now.

We are going to win this fight and save America for Americans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD].

The amendment was rejected.

The Clerk read as follows:

DEFINITION

SEC. 3. For the purposes of this act—

(1) The term "person" means an individual or an organization.

(2) The term "organization" means an organization, corporation, company, partnership, association, trust, foundation, or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together for joint action on, or advancement of views on, any subject or subjects.

(3) The term "Communist political organization" means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of the following considerations:

(A) The extent and nature of its activities, including the expression of views and policies.

(B) The extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies, of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act.

(C) The extent to which its views and policies are the same as those of such foreign government or foreign organization.

(D) The extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin.

(E) The extent to which it receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization.

(F) The extent to which it sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement.

(G) The extent to which it reports to such foreign government or foreign organization or to its representatives.

(H) The extent to which its members or leaders are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives.

(I) The extent to which (i) it fails to disclose, or resists efforts to obtain information as to, its membership (by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method); (ii) its members refuse to acknowledge membership therein; (iii) it fails to disclose, or resists efforts to obtain information as to, records other than membership lists; (iv) its meetings are secret; and (v) it otherwise operates on a secret basis.

(J) The extent to which its members consider the allegiance they owe to the United States as subordinate to their obligations to such foreign government or foreign organization, it is reasonable to conclude (i) that it is under the control of such foreign government or foreign governmental or political organization, or (ii) that it is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives.

(4) The term "Communist-front organization" means any organization in the United States (other than a Communist political organization and other than an organization having substantially all the ordinary and usual characteristics of a political party) with respect to which, having regard to some or all of the following considerations:

(A) The identity of the persons who are active in its management, direction, or supervision, whether or not holding office therein.

(B) The sources from which an important part of its support, financial or otherwise, is derived.

(C) The use made by it of its funds, resources, or personnel, and

(D) The position taken or advanced by it from time to time on matters of policy, it is reasonable to conclude (i) that it is under the control of a Communist political organization, or (ii) that it is primarily operated for the purpose of giving aid and support to a Communist political organization, a Communist foreign government, or the world Communist movement referred to in section 2, or (iii) that its views and policies are in general adopted and advanced because such views or policies are those of a Communist political organization, a Communist foreign government, or such world Communist movement.

(5) The term "Communist organization" means a Communist political organization or a Communist-front organization.

(6) The term "publication" means any circular, newspaper, periodical, pamphlet, book, letter, postcard, leaflet, or other publication.

(7) The term "United States," when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(8) The term "interstate or foreign commerce" means trade, traffic, commerce, transportation, or communication (A) between any State, Territory, or possession of the United States (including the Canal Zone), or the District of Columbia, and any place outside thereof, or (B) within any Territory or possession of the United States (including the Canal Zone) or within the District of Columbia.

(9) The term "final order of the Attorney General" means an order issued by the Attorney General under section 13 of this act, which has become final as provided in section 14 of this act, requiring an organization

to register under section 8 of this act as a Communist political organization or a Communist-front organization.

Mr. McDOWELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the hour is getting late and I do not expect to take the full 5 minutes. There is a matter that I want to get into the RECORD, however. Unlike most of us who have taken part in the debate today, I have been doing a little work on the side.

The Washington Post is a great American institution, a great American newspaper. I ought to know because I have been writing newspapers for over 30 years myself. I am a great admirer of the Washington Post, although I doubt seriously if the Washington Post is a very great admirer of me, as they blame me for what they are accusing the Committee on Un-American Activities of, that is, having evil associations.

This morning, in a six-column full-page advertisement, is a perfect example of the new line of Communist-front organizations in the United States. The Mundt bill is beginning to work even before the bill has been adopted by the Congress and signed by the President. All of the arguments that have been given here today by those starry-eyed liberals who are constantly opposing all things brought here by the Committee on Un-American Activities, all the arguments are here in about four or five hundred words, and they are signed by 97 prominent people in and around Washington, D. C. Some of these people, I am told, have close connections with the United States Government. A check of the very thorough files of the Committee on Un-American Activities shows that of 97 persons who have signed this article saying that the Mundt bill was a police-state bill, and all that sort of thing, they found from 1 to 20 Communist-front organization memberships, and got a total of 153 affiliations of Communist-front memberships. This is the argument that you are getting here today against the Mundt bill. The Mundt bill was not put together by one Member walking up and offering this and somebody else offering that. The Mundt bill, as the members of the Committee on Un-American Activities and many other Members of the House on both sides of the aisle who have great judicial learning, know, has been hundreds and hundreds of hours in the making in the last 4 months.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. HALLECK. Does the gentleman have any information as to how many of the signers belong to one or more of these Communist-front organizations to which the gentleman referred?

Mr. McDOWELL. Mr. Chairman, answering the gentleman from Indiana, I may state that 47 are shown in the committee records as having been affiliated with from 1 to 20 Communist-front organizations. All in all, in these 97 names there are a total of 153 memberships in some Communist-front organization.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. BUSBEY. Is it a correct statement to say that in general those who are in opposition to the Mundt bill are consistently in opposition to the wonderful work that the Committee on Un-American Activities is doing, and that they would oppose the bill in any form reported by the committee?

Mr. McDOWELL. It is a little annoying to be a member of the Committee on Un-American Activities and work as hard as at least one member has worked, and I am sure that applies to the other eight members also, to see Members rise on this floor and oppose with all sorts of constitutional arguments everything that we bring in here and then have them go back to their districts—New York, Chicago, or some other place—and spend hours and hours and hours making speeches on how they want to abolish the Committee on Un-American Activities.

Mr. McMAHON. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. McMAHON. Are the arguments used in the advertisement the gentleman has read any different than the arguments we have heard on the floor?

Mr. McDOWELL. Not one whit, only they are better written.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MARCANTONIO. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I had not intended to take time at this late hour because we have agreed to rise at about 5 o'clock, but I cannot help pointing out that the last speech we heard demonstrates conclusively what this is all about.

It has been the contention of the opponents of this bill that it is aimed at suppressing opposition to the views held by those who are allegedly in the majority. Here you have an advertisement placed in the Washington Post. This activity is a legitimate, time-honored, lawful, constitutional activity. It is as old as the Republic itself, in fact, pamphleteering antedates the establishment of the Republic. "Common Sense" of Tom Paine is the ancestor of the activity in which these American citizens engaged.

What did these American citizens do? They sought to draw the attention of their fellow Americans to some serious, sincere objections that they hold against this Mundt bill. How are those objections met? Has the gentleman from Pennsylvania given a single argument meeting a single argument advanced in this advertisement? Have we heard a reason advanced to meet a reason asserted? Oh, no; it is the same old technique which the Mundt bill expresses, the technique of fear, a crude attempt to threaten and intimidate Americans who dare voice dissent with the views of this committee. What does the spokesman of the committee do? He has said here that so many of the signers of the advertisements are members of Communist front organizations, so many of them are Communist-connected. The same wild statements and wild charges. What difference does it make even if the signers of this article were Communists? It is

your duty as a Member of Congress, the sacred duty that you owe to the American people, to meet these arguments and answer them on the basis of merit and not on the basis of attempted slander, not to inculcate fear in the hearts of those who attempt to dissent with the views of this committee.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Not at this time.

That is what this is all about, the right of Americans to disagree, disagree with a policy with which more and more Americans are disagreeing. It is the concept of absolute rule by monopoly capital which this committee has been seeking to force on the American people. It seeks to impose on an unwilling people by the method of smearing, and now by the threat of imprisonment of men and women who disagree with that concept of a monopoly capital rule that will lead only to war and depression. This is the technique of thought control. You had an example of it when the gentleman from Pennsylvania stood up here and did not answer a single argument, did not meet a single argument advanced in this advertisement, but simply pointed out that 53 of the signers, or whatever number he said, are members of a Communist-front organization. There it is. It is thought control through smear yesterday, thought control through smear today, and thought control through imprisonment and bypassing the Constitution tomorrow. That is the issue before the Congress of the United States.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Illinois.

Mr. BUSBEY. As I understood the real meaning of the gentleman from Pennsylvania [Mr. McDOWELL], he was just simply trying to throw the spotlight on some of these people who were trying to bring out all this bug-a-boo against the Mundt bill, and these people did not like the spotlight. If they had the courage of their convictions they would join the Communist Party and take out a card.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

Mr. NIXON. Mr. Chairman, I object.

Mr. MARCANTONIO. If we are going to get into that kind of business, it is O. K. with me.

Mr. HALLECK. Mr. Chairman, reserving the right to object, it was suggested by the gentleman from California that in the interest of expedition he expected to object to any request for additional time beyond 5 minutes. That rule has been followed all afternoon.

Mr. MARCANTONIO. May I say to the distinguished majority leader that in distributing time in opposition we were so limited in time that I did not take a minute in general debate. Furthermore, the opposition has not been attempting to filibuster. Every speech we have made has been made on the issues and it has been in the process of normal debate. If you are going to start cutting off Members, we will be forced to resort

to every parliamentary procedure possible.

Mr. HALLECK. Mr. Chairman, I ask for the regular order. The gentleman has had his 1 minute in the meantime.

Mr. MARCANTONIO. No. It has not been granted.

Mr. HALLECK. I am not objecting to it except in the interest of orderly procedure. The gentleman has been here a long time and he knows that this arrangement is frequently made and I suspect that the gentleman does not find himself in disagreement with the suggestion made by the gentleman from California earlier in the afternoon to expedite consideration of the measure.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for one-half minute to answer the gentleman from Illinois.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for 1 additional minute in view of the fact he apparently did not understand the agreement we had earlier in the afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, the gentleman from Illinois has repeated the same display of attempts at thought control that the gentleman from Pennsylvania just gave us. He said that what the gentleman from Pennsylvania attempted to do was to throw the spotlight—throw the spotlight of attempted smear. Again the gentleman from Pennsylvania and the gentleman from Illinois as well, has not answered or attempted to answer the arguments advanced in the indictment. They have attempted to inculcate fear in the hearts of the signers by smear today and by imprisonment tomorrow if this Mundt bill is adopted. You are substituting fear for freedom in America.

Mr. BUSBEY. I have heard that Communist line many times.

Mr. MARCANTONIO. But it is not the Fascist line from the gentleman from Illinois.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON: Page 21, line 16, strike out "(1)"; and in lines 18 to 20, inclusive, strike out the comma and the words "or (1) that it is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives."

Mr. NIXON. Mr. Chairman, the purpose of this amendment, I think, is quite apparent, simply from the reading of it.

The committee is offering the amendment and is supporting it unanimously because we think that it strengthens the definition of "Communist political organization," which is, perhaps, the key definition in the bill. We propose to do this by placing the conclusion which must be reached by the Attorney General, and by the court which reviews the proceedings of the Attorney General, squarely upon the matter of control by

a foreign government or foreign governmental or political organization. As to the section which the amendment seeks to strike out, the one providing in effect that it is enough to establish that an organization is one of the principal instrumentalities utilized by the world Communist movement in carrying out its objectives, it has been suggested that it might conceivably cover an organization which unknowingly was under the control of a foreign government and unknowingly was taking part in a world Communist movement. That was not the intention of the section as it was written. It was the intention of the committee in including this section to place the entire matter of whether or not an organization will be found to be a Communist political organization squarely upon the fact of foreign control by a foreign totalitarian dictatorship or a foreign totalitarian political organization. That is the purpose of the amendment. I think that the Members will agree that it strengthens the definition considerably.

In the remaining time that I have I should like to answer a few of the objections that have been raised by some of the opponents to this measure in the debate this afternoon. The question has been often asked as to whether or not the committee had any hearings on this legislation. The rather technical point has been made by some of the opponents of the legislation that no hearings were held upon a bill designated by this particular number. All you have to do, if you want to find out what hearings were held on this legislation, is to look at a copy of the transcript of the hearings which were held on two bills before the subcommittee on legislation of the Committee on Un-American Activities, one requiring registration of the Communist Party and Communist-front organizations, and the other a bill which would, in effect, outlaw the Communist Party. Those hearings were extensive. Those hearings were complete, and some of the best legal experts in the country appeared before the committee and raised objections to both measures on constitutional grounds and on policy grounds, and on the basis of those objections amendments were made and a new bill introduced which, in effect, is the one we are going to act upon in this House.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from Michigan.

Mr. DONDERO. Is it not also a fact that the Attorney General of the United States appeared before the gentleman's committee as a witness?

Mr. NIXON. As the gentleman has well pointed out, the Attorney General of the United States appeared before us, and if you read the transcript of the hearings you will see that on several occasions in his testimony he stated that existing legislation was inadequate for him to handle the menace of communism in the United States today.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCANTONIO. I am sure the gentleman does not want to convey the impression that at any time the Attorney General of the United States has supported this legislation.

Mr. NIXON. I am glad the gentleman asked that question, because the Attorney General of the United States, when he came before the committee, was specifically asked, if he did not like the legislation before the committee, to present his own legislation. He did not do so, but he did do this, as the gentleman from Georgia [Mr. Cox] pointed out in the debate on Friday. He did state that a registration statute applicable to such Communist organizations would be of assistance to him in meeting the danger. That is one of the principal effects of this measure, as we see it.

The point that I wish to drive home is this: The Attorney General and the other witnesses, all of whom had varying ideas as to what kind of legislation should be offered, all, with the exception of the representative of the Communist Party and one other witness, said that legislation was necessary to meet the clear and present danger of communism in the United States. On the basis of those opinions, the committee acted. We certainly did not think that the Congress, in the face of the Attorney General's own statement that he did not have, as the chief law-enforcement agent of this country, the legislative power to control this menace, should sit idly by and do nothing. That is why this legislation is before this House today.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we on this side have no objection to the amendment offered by the distinguished gentleman from California [Mr. Nixon] but I want to answer some of the statements that were made here about this article that appeared as an advertisement in the Washington Post.

The statements as a rule are utterly false. It says the Mundt bill proposed by this committee will "gag freedom of speech" and "institute thought control."

Everybody knows there is not a word of truth in that statement.

It also says that efforts to change our Government by peaceful, constitutional means may become tantamount to treason. Every intelligent man in the House knows there is not a word of truth in that statement. The Constitution provides how it shall be changed, and as long as they pursue constitutional means this bill will not disturb them.

It goes on with a great tirade of attacks on the Committee on Un-American Activities.

The gentleman from New York [Mr. MULTER] said we ought to invite his constituents who are Communists to come before the committee.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. NIXON. The statement has been made here that we should have had representatives of the Communist Party before the committee. I want to tell

the members of this committee and this House that if they will read the hearings of this committee they will find that Mr. Benjamin Davis, a member of the executive council of the Communist Party, appeared before the committee in behalf of William Z. Foster, at the invitation of the committee; that the committee sat there during a period of 30 minutes while Mr. Benjamin Davis went down the line on the legislative proposals before us, on the President of the United States, the Attorney General of the United States, and virtually every institution we have in the United States today, and he made a vindictive attack on all of our institutions and on the legislation before us. May I point out to the gentleman that we heard those objections with complete courtesy. This shows that the Communist Party did have its opportunity to be heard.

Mr. RANKIN. If everybody in America could have heard that Negro Communist, Ben Davis, from New York, utter his tirades before the committee, there would be less opposition to this bill than there is today.

We summonsed some Communists here, and as a rule they refused to take the oath. We brought the Eislers before the committee. One of them said, "I am a refugee from persecution. I refuse to be sworn." The next man we put on the stand was a Negro who had been a Communist and had been to Russia. They had taught him to carry on revolutions, how to blow up bridges and waterworks and put out light plants, burn warehouses, and so forth. It had become so bad that this Negro had come back and turned state's evidence. He made one of the best witnesses I have ever heard. We asked him if he had seen that man Eisler. He said, "Yes, he was one of the instructors in that Communist school in Moscow when I was over there."

We brought a gang of them in here from Hollywood, and what did they do? I was not here but the gentleman from New Jersey [Mr. THOMAS] was, and perhaps the gentleman from California was here. They proceeded to attempt to insult the committee in every possible way and refused to be sworn. They were afraid to put themselves in the grip of the courts of the country, under oath.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. McDOWELL. The gentleman will recall that they called Robert Stripling, well known to this House as a patriotic American, "Mr. Quisling."

Mr. RANKIN. Yes. I want to say this about Bob Stripling. I am glad the gentleman mentioned it. He was with the Dies committee back in the old days when it was a special committee. He has been with this committee for the last year or two. There is no finer American in this country than Bob Stripling. There is no man in this country who has done more to expose these enemies of our country within our gates than Mr. Stripling has.

We have heard of these constant attacks on the Committee on Un-American Activities by certain Members. Now

they get up here and accuse us of smearing that bunch who signed this advertisement in the Washington Post. I wish you could examine that entire aggregation under oath. I wish they could be taken before any court in Washington, or in America, and put under oath and have their backgrounds investigated and see how many of them have their hands behind them taking money from somebody representing a foreign power dedicated to the destruction of this Government.

Mr. NIXON. Mr. Chairman, in view of the lateness of the hour, I ask unanimous consent that debate on this amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. NIXON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. WADSWORTH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes, had come to no resolution thereon.

REGINALD MITCHELL

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 315) for the relief of Reginald Mitchell.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Reginald Mitchell, of North Hollywood, Calif., the sum of \$106.85, in full satisfaction of his claim against the United States for compensation for property damage sustained by him, as a result of an accident which occurred when a United States Army vehicle collided with another automobile and pushed it into the rear of the automobile which he was driving, at the intersection of East Seventh Street and Maple Street, in Los Angeles, Calif., on November 10, 1944: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. HINSHAW. Mr. Speaker, this bill was passed last May 22 in the other body. It is identical to title 2, H. R. 385, of the omnibus bill, H. R. 5055, which was passed earlier today.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that the proceedings whereby a similar House bill (H. R. 385) for the relief of Reginald Mitchell, which was title 2 of the omnibus bill, H. R. 5055, was passed be vacated and the bill H. R. 385 be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. BUSBEY asked and was given permission to revise and extend his remarks in the RECORD and include several telegrams and letters.

Mr. POULSON asked and was given permission to extend his remarks in the RECORD and include a circular of misrepresentation on the Mundt-Nixon bill.

Mr. JENISON asked and was granted permission to extend his remarks in the RECORD and include an address delivered by Hon. JOSEPH W. MARTIN at the dedication of a plaque to the late Hon. Joseph Gurney Cannon.

Mr. HAND asked and was granted permission to extend his remarks in the RECORD and include an editorial on the subject of Palestine.

Mr. KEATING asked and was granted permission to extend his remarks made in Committee of the Whole and include certain quotations from court decisions.

Mr. SMITH of Wisconsin asked and was granted permission to extend his remarks in the RECORD and include a letter from a constituent.

Mr. KING (at the request of Mr. LEA) was granted permission to extend his remarks in the RECORD and include an editorial from the Los Angeles News.

Mr. DONOHUE asked and was granted permission to extend his remarks in the RECORD and include a letter.

Mr. BUCHANAN asked and was granted permission to extend his remarks in the RECORD in two instances; in one to include a resolution from the Veterans' Committee and in the other a paid advertisement appearing in today's Washington Post.

Mr. KERSTEN of Wisconsin asked and was granted permission to extend his remarks in the Appendix of the RECORD in two instances and include two articles.

Mr. WEICHEL (at the request of Mr. HALLECK) was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. STEFAN (at the request of Mr. HALLECK) was granted permission to extend his remarks in the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JACKSON of Washington (at the request of Mr. MANSFIELD), for an indefinite period, on account of illness in the family.

HOOR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. Under special order heretofore granted, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 15 minutes.

PROSTHETIC APPLIANCES

Mrs. ROGERS of Massachusetts. Mr. Speaker, Mr. Hamilton Faron of the Associated Press, sent to Germany, and I understand other countries, the following release:

WASHINGTON, May.—A squad of men marched sturdily into a committee room of the United States Congress.

They stripped off their army shirts. They pulled off their trousers.

They stood at attention in bathing trunks and shirts.

Then most of the group sat down naturally on narrow chairs, completely at ease.

Others walked to the front of the room, stood before members of the committee.

There they performed numerous "stunts."

They picked up ice-cream cones, marshmallows, sandwiches, paper cones, water glasses, papers, heavy weights attached to greased handles.

They climbed stairs. They climbed on top of tables and jumped to the floor.

The committee members watched with deepest interest.

Why? What's so remarkable about all this?

All of the men had lost one or more arms or legs.

They went before the committee—headed by Representative EDITH NOURSE ROGERS, Massachusetts Republican—to demonstrate the progress made by American engineers in making artificial arms, legs and hands.

That work has been moving along swiftly since the end of World War II.

And additional impetus is being given daily to the program as more men and women learn of the efficiency of devices now being made.

What interest does this have outside the United States?

A lot—to the scores of thousands of men, women and children victims of the war throughout the world. They are those who walk on crutches, hobble along with old-fashioned stiff artificial legs; tuck an empty sleeve in a pocket, spend their lives in wheel carts or chairs.

For the results of the giant research program are not going to be held for the benefit only of the Army and Navy veterans of the United States.

No, indeed. The improved devices are to be made available to all persons.

Pending legislation to authorize spending \$1,000,000 a year for the research, provides for this in these words:

"The Administrator of Veterans' Affairs is authorized to make available the results of his investigations to private or public institutions or agencies and to individuals in order that the unique investigative materials and research data in the possession of the Government may result in improved prosthetic appliances for all disabled persons."

The bill already has been passed by the House of Representatives.

It now is awaiting action by the Senate before going to the White House for approval by President Truman.

Phillip Rogers, clerk of the Senate committee which handles such legislation, asked whether it will be passed by the Senate, replied flatly: "I have no doubt about it."

About the new types of legs, arms, and hands. One demonstrated to the committee, resembles in all respects a natural hand.

Its thumb and fingers move in response to movements of the wearer's shoulder muscles.

It can pick up glasses, papers, cups, perform most of the functions of a natural hand and exert a squeezing pressure of 25 pounds.

Let the demonstrator tell about it: "I wait on trade and see quite a few people. The hand is preferable (to the customary hook device) because I can still do so many things with it and it is natural looking."

Another device—a leg—has natural movements when walking. The knee and ankle flex, there are no signs of a limp.

William R. Smith, who demonstrated the hand, and Herbert E. Kramer, who wears the leg, like all others in the group consider themselves guinea pigs for prosthetic research.

They and the others all have full-time jobs supporting themselves. But once each year they take time off from their jobs and travel in a body to demonstrate the new appliances.

They were joined this year by one German war veteran. He is Hans Schuffenhauer of Bernsgrun 9, Sachsen, western zone, Germany. Hans lost both his arms in World War II. He came to the United States to help work on the improved appliances. He's wearing the latest type arms now and plans to return to Germany soon.

And, as for recent statements by Soviet scientists that they have developed an artificial arm that can perform even such an intricate job as operating a machine gun:

"Bunk, just bunk," said one of the group. "We've heard lots of claims from over there but that's fantastic right now. But keep our program going over a period of five more years, let us say, and then you really will see miracles."

Mr. Speaker, let me say again that these men who came here had full-time jobs, although they are not earning very much they are giving not only of their time but paying their own expenses. This is a very remarkable contribution not only to our own amputees but to the disabled of the world, and to science. Most of them gave exhibitions last year and great strides have been made in their prosthetic appliances and in their use in a year's time.

Mr. Speaker, there is a bill before the House, a bill already passed by the Senate, that provides automobiles for amputees. The cost is small. The House Committee on Veterans' Affairs has reported out a bill; it has been on the calendar for nearly a year. When you see these men, no Member of Congress would wait a day before passing such legislation. Those who have leg amputations have been given an automobile but not the arm amputees; that is discrimination.

Mr. Speaker, the time is getting short before the adjournment of Congress. We have numerous bills for the disabled before the Committee on Rules. They should be passed. There are widows and orphans living on a pittance. The gentleman from New Jersey, Judge MATHEWS, introduced a bill providing for a small increase for them. The Committee on Veterans' Affairs passed it unanimously weeks ago. Today when the widows go shopping in the grocery stores—if you watch them you see—they cannot afford to buy what their children actually need to be properly nourished. At a time when Congress is spending hours and hours and hours of debate to rid the country of Communists—which they should, at a time

when they are spending hours and hours and hours of debate on relief for foreign countries, and sending billions of dollars of food and supplies to foreign countries, it is imperative they take care of their own—the disabled and the widows and orphans of our war veterans should come first not last—in our legislative program. In war, we voted day after day, money for all kinds of supplies for our soldiers. Do we feed and equip them only to fight for us—and forget many of their needs when the battle is won. That cannot and must not be.

Rules for bills have been asked for greatly needed veterans' legislation by our Committee on Veterans' Affairs—not to grant them is cruel.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3350. An act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes; and

H. R. 5933. An act to permit the temporary free importation of racing shells, and increasing the amount of exemptions allowed for personal purchases abroad.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on May 15, 1948, present to the President, for his approval bills of the House of the following titles:

H. R. 1308. An act for the relief of H. C. Biering;

H. R. 3505. An act authorizing an appropriation for investigating the oyster beds damaged or destroyed by the intrusion of fresh water and the blockage of natural passages west of the Mississippi River in the vicinity of Lake Mechant and Bayou Severin, Terrebonne Parish, La., and by the opening of the Bonnet Carré spillway, and for other purposes;

H. R. 4892. An act to amend the act of July 23, 1947 (61 Stat. 409) (Public Law No. 219 of the 80th Cong.);

H. R. 4966. An act directing the Secretary of the Interior to sell and lease certain houses, apartments, and lands in Boulder City, Nev.;

H. R. 5669. An act to provide for adjustment of irrigation charges on the Flathead Indian irrigation project, Montana, and for other purposes; and

H. R. 6067. An act authorizing the execution of an amendatory repayment contract with the Northport Irrigation District, and for other purposes.

ADJOURNMENT

Mr. SMITH of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Wednesday, May 19, 1948, at 10 o'clock a. m.).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1561. A letter from the Acting Secretary of the Interior, transmitting a detailed report

showing credit operations through June 30, 1947; to the Committee on Public Lands.

1562. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONDERO: Committee on Public Works. H. R. 5433. A bill to transfer jurisdiction over certain school buildings in Vanport, Oreg., to the Federal Works Administrator and to authorize an appropriation to rebuild a school building in Vanport, Oreg., which was destroyed by fire; with amendments (Rept. No. 1967). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of New York: Committee on Ways and Means. House Joint Resolution 384. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the International Industrial Exposition, Inc., Atlantic City, N. J., to be admitted without payment of tariff, and for other purposes; without amendment (Rept. No. 1968). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SMITH of Maine: Committee on Armed Services. S. 1470. An act to amend the act entitled "An act to make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract diseases while engaged in military training, and for other purposes," approved June 15, 1936, as amended, and for other purposes; without amendment (Rept. No. 1969). Referred to the Committee of the Whole House on the State of the Union.

Mr. CURTIS: Committee on Ways and Means. H. R. 3825. A bill to amend section 2402 (a) of the Internal Revenue Code, as amended, and to repeal section 2402 (b) of the Internal Revenue Code, as amended; without amendment (Rept. No. 1970). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SMITH of Maine: Committee on Armed Services. H. R. 5983. A bill to amend section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, to remove the present restriction on appointments to the Navy Medical Service Corps; without amendment (Rept. No. 1971). Referred to the Committee of the Whole House on the State of the Union.

Mr. EATON: Committee on Foreign Affairs. House Joint Resolution 297. Joint resolution to increase the sum authorized to be appropriated for the presentation to Elre of a statue of Commodore John Barry; without amendment (Rept. No. 1972). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of New York: Joint Committee on Atomic Energy. H. R. 6402. A bill to provide for extension of the terms of office of the present members of the Atomic Energy Commission; without amendment (Rept. No. 1973). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. R. 5611. A bill to provide for the appointment of one additional district judge for the eastern district of Pennsylvania; with an amendment (Rept. No. 1974). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. H. R. 5964. A bill to grant time to employees in the executive branch of the Government to participate, without loss of pay or deduction from annual leave, in funerals for deceased members of the armed forces returned to the United States for burial; with amendments (Rept. No. 1975). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLMER:

H. R. 6592. A bill to authorize Federal participation in shore-protection works; to the Committee on Public Works.

By Mr. HEDRICK:

H. R. 6593. A bill to provide for the establishment and operation of an experiment station in the Sixth Congressional District of West Virginia, or some other suitable location in the State of West Virginia, for research on the production, refining, transportation, and use of petroleum and natural gas from coal; to the Committee on Public Lands.

By Mr. MICHENER (by request):

H. R. 6594. A bill authorizing the extension of functions and duties of Federal Prison Industries, Inc., to military disciplinary barracks; to the Committee on the Judiciary.

By Mr. WORLEY:

H. R. 6595. A bill to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Canadian River reclamation project in the Texas Panhandle; to the Committee on Public Lands.

By Mr. RAINS:

H. R. 6596. A bill granting pensions to veterans of World War I and their widows and dependent children equivalent to the pensions granted to veterans of the war with Spain and their widows and dependent children; to the Committee on Veterans' Affairs.

By Mr. KELLEY:

H. R. 6597. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of elementary and secondary schools, and in reducing the inequalities of educational opportunities through elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of Nebraska:

H. R. 6598. A bill to amend section 2 of the act entitled "An act to provide for insanity proceedings in the District of Columbia," approved August 9, 1939; to the Committee on the District of Columbia.

By Mr. BARTLETT:

H. R. 6599. A bill to provide that veterans may obtain copies of public records in the Territory of Alaska, without the payment of any fees, for use in presenting claims to the Veterans' Administration; to the Committee on Public Lands.

By Mr. KERSTEN of Wisconsin:

H. R. 6600. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of elementary and secondary schools, and in reducing the inequalities of educational opportunities through elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. FERNANDEZ:

H. R. 6601. A bill to authorize the transfer of horses and equipment owned by the United States Army to the New Mexico Military Institute, a State institution; to the Committee on Armed Services.

By Mr. HAGEN:

H. R. 6602. A bill authorizing the construction of flood-control work on the Red River

of the North, Minn. and N. Dak.; to the Committee on Public Works.

By Mr. BENDER:

H. R. 6603. A bill to authorize grants to enable local school agencies overburdened with war-incurred or defense-incurred school enrollments to increase school facilities; to the Committee on Public Works.

By Mr. DINGELL:

H. J. Res. 405. Joint resolution to clarify the application of the existing excise tax imposed on certain fans under section 2406 (a) (3) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. MICHENER:

H. J. Res. 406. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1948, as a day for a Nation-wide prayer for peace; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the President of the Chilean House of Representatives, memorializing the President and the Congress of the United States relative to commemorating Pan American Day; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLMER:

H. R. 6604. A bill for the relief of Dimple Benoit; to the Committee on the Judiciary.

By Mr. COMBS:

H. R. 6605. A bill for the relief of W. B. Terry; to the Committee on the Judiciary.

H. R. 6606. A bill for the relief of William T. Orton; to the Committee on the Judiciary.

By Mr. CORBETT:

H. R. 6607. A bill for the relief of Clifford N. MacLloyd; to the Committee on the Judiciary.

By Mr. DOLLIVER:

H. R. 6608. A bill for the relief of Dr. Jacob Ornstein; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 6609. A bill for the relief of Jacob F. Hutt; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 6610. A bill for the relief of Albert Burns, of Covington, La.; to the Committee on the Judiciary.

H. R. 6611. A bill for the relief of Maj. Jewell J. Frey, O340983, Monroe, La.; to the Committee on the Judiciary.

By Mr. PRICE of Florida:

H. R. 6612. A bill for the relief of Raymond B. Murphy; to the Committee on the Judiciary.

By Mr. HARDIE SCOTT:

H. R. 6613. A bill for the relief of Paul Dacut or Pawlo Dacsuk; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. R. 6614. A bill for the relief of Carl Plowaty and W. J. Plowaty; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 6615. A bill for the relief of Mrs. Helene Pelzmann, of Salzburg, Austria; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1952. By Mr. ELSTON: Petition of A. H. McClelland and 34 other residents of Cincinnati and vicinity, urging passage of H. R. 6397, a bill to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

1953. By Mr. GRAHAM: Petition of missionary group 4 of the First Baptist Church of Ellwood City, Pa., urging the defeat of universal military training; to the Committee on Armed Services.

1954. By Mr. LECOMPT: Petition of sundry citizens of Lucas, Iowa, in the interest of H. R. 5875 and H. R. 5993 and in opposition to H. R. 5711; to the Committee on Interstate and Foreign Commerce.

1955. By Mr. SMITH of Wisconsin: Petition of members of William Graham Post, No. 173, American Legion, Whitewater, Wis., urging support of legislation establishing a system of universal military training; to the Committee on Armed Services.

1956. By the SPEAKER: Petition of Mrs. Donald Hess, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1957. Also, petition of Mrs. Mattie Yeomans, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1958. Also, petition of the Board of Supervisors of the County of Delaware, State of New York, petitioning consideration of their resolution with reference to opposition to the construction of the proposed flood-control dam on the Charlotte River in the town of Davenport, N. Y.; to the Committee on Public Works.

1959. Also, petition of Cyril Weinstein and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1960. Also, petition of Dorothy Goldberg and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1961. Also, petition of Kathryn R. Johnson and others, petitioning consideration of their resolution with reference to the endorsement of H. R. 2953, a bill to insure equitable and fair administration of Federal aid to education; to the Committee on Education and Labor.

SENATE

WEDNESDAY, MAY 19, 1948

(Legislative day of Monday, May 10, 1948)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Dr. Joshua Loth Liebman, rabbi, Temple Israel, Boston, Mass., offered the following prayer:

O God, Father of all men, we thank Thee for this great Senate of democracy in this hallowed America. Cause us to understand that laws are given that men shall live by them and not die by them. Inspire these lawgivers to make America an ever more beautiful gem of earth where cooperation shall be the dream and equal justice the dynamic goal—America thus the example to all the world.

Cause us to realize that now all nations, from the oldest unto the newest, Israel, dwell today on the same street of atomic destiny, and therefore we must live and work together so that our children's children shall have a planet to inherit.